

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD

40. CRIMINAL WRIT PETITION NO.794 OF 2017

Suresh S/o Omkarlal Agrawal,
age 57 years occupation business
R/o Gandhi Chowk, Bodhwad
Taluka Bodhwad Dist. Jalgaon

...Petitioner

Versus

1. The State of Maharashtra
Through : The Home Department,
Mantralaya, Mumbai.
2. The Superintendent of Police,
Jalgaon Tal. & Dist. Jalgaon.
3. The Police Sub-Inspector,
Police Station, Bodhwad Tal. Bodhwad Dist. Jalgaon.
...Respondents

Mr. Vishwajeet R. Jain, Advocate for petitioner (absent)
Mr. G.O. Wattamwar, Addl. Public Prosecutor for Respts./State

CORAM : T.V. NALAWADE &
M.G. SEWLIKAR, JJ.

DATE : 2nd December, 2020

ORDER :

Learned Counsel Shri Jain for the petitioner is not present. The learned Addl. Public Prosecutor produced on record the communication made by the Police Inspector, Bodwad Police Station. The communication shows that "A" summary report is filed

by the police and that came to be filed in the Court of the Judicial Magistrate F.C., Bodwad, on 27th September 2017. The number of the matter is given as Summary No. 32/2020. In view of this circumstance and as the relief of re-investigation is sought in the present matter, this Court holds that the learned Judicial Magistrate F.C. needs to take decision on the summary report first and only after that, possibility of re-investigation or further investigation can be considered. The present petition is disposed of in view of the aforesaid circumstances.

Sd/-
(M.G. SEWLIKAR)
JUDGE

Sd/-
(T.V. NALAWADE)
JUDGE

Madkar