

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.5342 OF 2019

SHIVAJI BABAN BAGATE

)...PETITIONER

V/s.

THE STATE OF MAHARASHTRA AND ANR.)...RESPONDENTS

Mr.P.G.Sarda, Advocate for the Petitioner.

Mr.A.R.Patil, APP for the Respondent – State.

CORAM : A. M. BADAR, J.

DATE : 9th JANUARY 2020

P.C. :

1 Principal challenge in the petition is to the order directing issuance of process against the petitioner/ public servant. The learned trial court had directed issuance of process way back on 16th March 2001 for offence punishable under Section 447, 323 read with 34 of the Indian Penal Code. Because of inordinate delay and laches, the petition cannot be entertained. Similarly, no infirmity can be found in this subsequent order rejecting discharge application vide order dated 3rd July 2019

passed by the learned Judicial Magistrate First Class, Junnar, because the proceedings were initiated on the basis of private criminal complaint lodged by the complainant.

2 The petition, as such, is dismissed.

(A. M. BADAR, J.)