

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

100 CRIMINAL WRIT PETITION NO. 69 OF 2020

PANKAJ S/O. RAMJI SHIVBHAGAT
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. Angad L. Kanade
APP for Respondents No. 1 to 5 : Mr. A.S. Shinde
...

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

DATE : 22nd FEBRUARY, 2021

PER COURT :-

Heard learned counsel Mr. Kanade for the petitioner for sometime. Seen the record. In the prayer clause, a prayer is made to the effect that direction be issued to respondents No. 4 and 5 to register the crime under Section 307 read with Section 34 of the Indian Penal Code against respondents No. 6 and 7. He drew attention of this Court to the complaint sent to the Honourable Chief Minister, Maharashtra State, dated 17-09-2019. The said complaint was sent on the letter head of *Prajasttak Samajwadi Bharat Party (PSBP)*. He posed himself as National President of that party. In that letter, he made allegations that on 08-05-2019 somebody had assaulted him. Before assault, he had seen three persons, which were known to him. He had sustained injuries to head and some persons shifted him to the hospital. There is record of *Yesosai* Hospital, Nanded and it shows that on 11-05-2019 present petitioner had complain of giddiness and he had given history that he fall on 09-05-2019. This first disclosure was made that he had sustained injury to his head due to fall and for that he had not blamed anybody. Only in the letter sent to the

Honourable Chief Minister on 17-09-2019 he has took name of his political opponents. He contended that they are behind attack. The contents of the letter show that he wants "Z" grade personal security. Thus, he sent letter to the Honourable Chief Minister after four months and then he gave another complaint in respect of burning of his car. However, in this complaint also he had made allegation in respect of incident dated 08-05-2019. Everything is vague and there is nothing to corroborate the allegation. In view of this circumstance, this Court holds that the direction of the aforesaid nature cannot be given in the present proceeding. The Criminal Writ Petition stands dismissed.

Sd/-

[M. G. SEWLIKAR]
JUDGE

Sd/-

[T. V. NALAWADE]
JUDGE

MTK