

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

937 CRIMINAL APPLICATION NO. 223 OF 2020

SANDIP MANIK SHINDE
VERSUS

..APPLICANT

THE STATE OF MAHARASHTRA
AND ANOTHER

..RESPONDENTS

...

Advocate for the Applicant Mr. N.S. Jaju
A.P.P for Respondent- State : Mr. S. J. Salgare

....

CORAM : T.V. NALAWADE AND
M. G. SEWLIKAR, JJ.
DATE : 19.01.2021.

PER COURT :-

Heard the learned counsel for the applicant and learned Additional Public Prosecutor. Seen the allegations made in the First Information Report.

2. In the present proceeding relief is claimed of direction to police to arrest Nayab Tahsildar Bhanudas Shankar Gunjal and make him accused in Crime Register No. 78 of 2019 registered in Shevgaon Police Station for the offence punishable under Section 3 & 7 of the Essential Commodities Act, 1955 and Section 193 of the Indian Penal Code.

3. Learned counsel submitted that after making enquiry Tahsildar authorized the applicant who is employee of the Tahasil Office to give the report. He submits that the report given by the Tahsildar and Nayab Tahsildar are inconsistent in

respect of the distribution of kerosene and so the applicant feels that Nayab Tahsildar has joined hands with other accused.

4. After registration of the crime, it is job of the police to find out as to whether some body from inside, from the office of Tahsil was involved in the crime. If police finds that there was such involvement, police can always take action against all those concerned. Police will not hesitate to make even informant as accused, if the informant is found involved in the offence.

5. As there is such power with the police and law does not prevent making other persons accused in such matters when there involvement is found, this Court holds that no specific direction is required in that regard.

6. With these direction present proceeding is disposed of

Authenticated copy allowed to both the sides.

(M.G.SEWLIKAR, J.)

(T.V. NALAWADE, J.)

YSK/