

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

25. CRIMINAL WRIT PETITION NO.800 OF 2018

Shashikalabai W/o Pratap Deshmukh,
age 70 years occupation nil
R/o N-5, H/69, Satyam Nagar, CIDCO,
Aurangabad Taluka and Dist. Aurangabad ...Petitioner

VERSUS

1. The State of Maharashtra,
Through the Public Prosecutor,
High Court of Bombay, Bench at Aurangabad
2. The Police Inspector,
CIDCO Police Station,
Aurangabad Tal. & Dist. Aurangabad
3. The Commissioner of Police,
Commissioner Office at Aurangabad
4. Sunil S/o Raosaheb Deshmukh,
age 50 years occup. business
R/o Sadar at present Bhagatsing Nagar, Aurangabad
...Respondents

Mr. D.R. Jaybhar, Adv. for petitioner

*Mrs. V.N. Patil-Jadhav, Addl. Public Prosecutor for Respts. No.1 to 3/
State*

CORAM : T.V. NALAWADE &

M.G. SEWLIKAR, JJ.

DATE : 1st February, 2021

ORDER :

Seen the contentions made in the petition. Seen the
record. Heard learned Counsel Shri Jaybhar for the petitioner.

Allegations if accepted as they are cannot make the offence, which can be called as cognizable in nature. The police have treated the allegations as non-cognizable case and accordingly intimation is given. It is always open to such a complainant to file private complaint in the Court of Judicial Magistrate F.C.. No direction can be given to register crime in such a case by this Court by using the jurisdiction under Article 226 of the Constitution of India. So, the petition is disposed of with aforesaid observations.

(M.G. SEWLIKAR)
JUDGE

(T.V. NALAWADE)
JUDGE

Madkar