

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

901 CRIMINAL WRIT PETITION NO.1503 OF 2020

JITENDRA RAMESH PATOLE

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Mr.N.B. Narwade, Advocate for petitioner;

Mr.S.D. Ghayal, APP for respondents

...

CORAM : RAVINDRA V.GHUGE

AND

B.U.DEBADWAR, JJ.

DATE : 16th March, 2021

PER COURT :-

1. We have heard the learned Advocate for the petitioner and the learned Prosecutor on behalf of the respondents. We have cursorily perused the report dated 11.03.2021 submitted by the SDPO, Ahmednagar Rural Division, Ahmednagar addressed to the learned Additional Prosecutor.

2. The learned Advocate for the petitioner submits that his only grievance in this Petition is that his complaint dated 10.11.2020, at page 34, has not been registered by the M.I.D.C. Police Station. It is his contention that he presented it to the

Police Station and since it was not accepted, he had approached the District Superintendent of Police with the covering letter dated 10.11.2020, at page 33.

3. We find from the report of the SDPO, referred to above, that the Police Authorities have considered the representation of the petitioner, at page 33 and they have not found material, which would support the contentions of the petitioner. The learned Advocate for the petitioner points out prayer clause "B" and submits that his representation may be decided by the Superintendent of Police.

4. The learned Prosecutor submits on instructions that the Superintendent of Police would also consider the report received from the Forensic Science Laboratory Kalina, Santacruz while dealing with the said representation.

5. We find that if the representation of the petitioner is still not decided, the Superintendent of Police could deal with the same by following the procedure, as is prescribed in the law. In the event, the

petitioner has any grievance thereafter, considering the law laid down by the Hon'ble Apex Court in *Lalita Kumari Vs Government of U.P. and others (2014) 2 SCC 1*, he could avail of the statutory remedy under the Cr.P.C.

6. In view of the above, this Petition is disposed off.

(B.U.DEBADWAR,J.)

(RAVINDRA V. GHUGE,J.)

SGA