

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

922 CRIMINAL WRIT PETITION NO.393 OF 2022

NUSRAT BEGUM W/O ADIL KHAN
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

.....
Advocate for Petitioner : Mr. V.C. Patil h/f Mr. Imran Khan Guftar
Khan Durrani
APP for Respondent-State: Mr. K.S. Patil
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**CORAM : SARANG V. KOTWAL AND
BHARAT P. DESHPANDE, JJ.
DATED : 8th JULY 2022**

PER COURT:-

1. This petition is filed for setting aside the communication which is undated but is annexed to Exhibit B to this petition. Vide that communication, the Officer at City Chowk police station, Aurangabad City has informed the petitioner that they had received her application dated 6.8.2021 making allegations against her husband and his family and further enquiry and proper action were requested by the petitioner. It was received by the signatory of this letter on 8.10.2021. However, no further steps were taken by the police Officer and reasons mentioned in that letter are that the petitioner had preferred Petition No. E-180 of 2021 on 15.9.2021 before the Family Court at Aurangabad. The said petition was still pending and therefore, it was not proper to register the F.I.R.

2. Learned counsel for the petitioner submitted that the said

petition was for maintenance under section 125 of Cr.P.C. and it had no bearing on registration of F.I.R. Learned A.P.P. could not justify the reasons mentioned in the report. The reason obviously is not right. Therefore, we direct the Police Officer to take decision on her application expeditiously without waiting for the result of petition No. E-180 of 2021 pending before the Family Court, Aurangabad filed by the petitioner.

3. With these observations, the writ petition is disposed of.

4. In future, if the petitioner has any grievance concerning the reliefs sought in this petition, she is at liberty to take steps in accordance with law.

(BHARAT P. DESHPANDE, J.)

(SARANG V. KOTWAL, J.)

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