

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

CRIMINAL WRIT PETITION NO. 618 OF 2022

Dnyaneshwar Bhaurao Patil

..PETITIONER

VERSUS

State of Maharashtra and Another

..RESPONDENTS

....

Mrs. R.S. Kulkarni, Advocate for petitioner

Mrs. G.L. Deshpande, A.P.P. for respondent no.1 - State

....

CORAM : R.G. AVACHAT, J.

DATE : 05th MAY, 2022

PER COURT :

1. Heard. Perused the petition and gone through the order dated 04th February, 2020 passed by learned Judicial Magistrate First Class, Sillod.

2. This petition can be disposed of with a direction to the learned Magistrate to first comply with the mandatory provisions of Section 202 of Code of Criminal Procedure since it appears that the petitioner – accused was residing beyond the jurisdiction of the learned Magistrate.

3. In view of above, criminal writ petition is allowed in terms of prayer clause (C). The matter is remanded back to the learned Magistrate to

comply with Section 202 of the Code of Criminal Procedure and then pass necessary order.

SSD

(R.G. AVACHAT, J.)