

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 816 OF 2021

MUKUND BALVIRSINH THAKUR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

APP for Respondent No. 1 : Mr. S.J. Salgare

**CORAM : SMT. VIBHA KANKANWADI &
RAJESH S. PATIL, JJ.**

DATE : 11th August, 2022.

ORDER :-

1. The petitioner is absent. In view of the order passed by this Court on 25.7.2022, the prosecution has filed affidavit-in-reply of Dattatray Dyandeo Pote, PSI, attached to Jalgaon Police Station. It has been stated that in Crime No. 90 of 2016, registered for the offence punishable under Sections 307, 353, 332, 109, 420, 379, 504, 506 read with 34 of Indian Penal Code and under Sections 132/177, 184 of the Motor Vehicles Act, the present petitioner was declared absconding. Proclamation under Section 82 and 83 of Code of Criminal Procedure, was issued on the basis of order passed by learned Chief Judicial Magistrate, Jalgaon. It appears that the said order was challenged by the petitioner before this Court by filing Criminal Application No.55 of 2017 and it was rejected by this Court on 17.1.2017. Thus, it has to be concluded that now the whereabouts of the petitioner are not known.

2. Under such circumstances, when the Advocate who was representing him has been discharged by this Court, no notice can be

issued to the petitioner in respect of the present petition. It deserves to be dismissed for default. The same stands dismissed.

(RAJESH S. PATIL, J.)

(SMT. VIBHA KANKANWADI, J.)

grt/-