

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT NAGPUR, NAGPUR.

...

CRIMINAL WRIT PETITION NO. 260/2022

* Mayur s/o Yadorao Borkar **..Petitioner**
versus

1) The Incharge of Police Station
Dighori Tq. Lakhandur & two others **..Respondents**

.....
Mr. N.P.Meshram, Advocate for the Petitioner

Mr. M.J.Khan, Addl.P.P. for Respondent No.1
.....

CORAM: SUNIL B. SHUKRE &
G.A. SANAP, JJ

DATED : 27th June, 2022.

P.C. :

Heard Mr. N.P.Meshram, learned counsel for the petitioner and Mr.M.J.Khan, learned Additional Public Prosecutor for Respondent no.1.

2. Notice has been issued to Respondent Nos. 2 and 3 and it is yet to be served upon them.

3. Meanwhile, the Respondent No.1 -Police Station Officer, (PSO) Police Station, Dighori has filed the reply. The reply of the PSO Dighori shows that no incident as alleged by the petitioner has

ever taken place and that there is no supporting evidence to the allegation made by the petitioner in his complaint and, therefore, the PSO could not register the FIR as crime committed by Respondent Nos. 2 and 3.

4. The petitioner's allegation against the Respondent No.2 and 3 is that at about 12 o'clock of 30th January, 2022 they had come to the Grain Procurement Centre of the petitioner and allegedly demanded a bribe of R.10,000/- and when it was refused to be paid by the petitioner, the respondent nos.2 and 3 gave some filthy abuses to them.

5. The PSO, Dighori has made an enquiry into this allegation, as required by law, and has come to the conclusion that there is no substance in the allegation and, therefore, no offence has been registered against the respondent Nos. 2 and 3 by the PSO, Dighori.

6. Considering the fact that a particular conclusion has been drawn by the PSO after making due enquiry, we do not think that any such direction as registration of offence against the respondent Nos. 2 and 3 could be issued by this Court. If the petitioner claims that he is having evidence in support of his allegation, the appropriate remedy for him would be of filing a private complaint against the respondent Nos. 2 and 3.

7. In the result, we not do not find any merit in the petition. The same stands dismissed.

[G.A. SANAP,J.]

[SUNIL B. SHUKRE, J.]

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