

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

CRIMINAL WRIT PETITION NO.543 OF 2023

**ABED KHALIL SHAIKH
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Advocate for Petitioner : Mr. Hrishikesh V. Tungar
APP for Respondent – State : Mrs. M. A. Deshpande
. . .

**CORAM : MANGESH S. PATIL AND
ABHAY S. WAGHWASE, JJ.**

DATED : 19 APRIL 2023

PER COURT :

. We have heard learned advocate for the petitioner as also the learned APP finally.

2. The petitioner's complaint is about his vehicle Ashok Leyland Truck has been stolen from the Devlai area which according to petitioner falls under the jurisdiction of respondent no.3 Satara Police Station, Aurangabad.

3. On our request, the learned APP has taken instructions from the respondent no.3 and submits that on inquiry it was found that the vehicle was taken to a place which falls under the jurisdiction of Cantonment (Chhavani) Police Station, Aurangabad i.e. respondent no.4.

4. Following the directions given in the case of ***Lalita Kumari Vs. Govt. of U.P.; (2014) 2 SCC 1***, no preliminary inquiry in the matter of theft is contemplated.

5. The petitioner has made an attempt to lodge the complaint regarding theft of his truck which is a cognizable offence and respondent no.3 was under statutory duty to register the crime.

6. We dispose of the writ petition by directing the respondent no.3 to treat the complaint (Exh.15) as a FIR and register the crime and carry out the investigation as expeditiously as possible.

(ABHAY S. WAGHWASE, J.)

(MANGESH S. PATIL, J.)