

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

936 CRIMINAL APPLICATION NO.2789 OF 2023
IN
ANTICIPATORY BAIL APPLICATION NO.1088 OF 2023

SUNIL SONAJI MATE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Applicants : Mr. Avinash N. Patil Barhate
APP for Respondent – State : Mr. G.O. Wattamwar
...

CORAM : R. M. JOSHI, J.
DATE : JULY 26, 2023

PER COURT :

. This application is filed to assist PP. A query is made to learned counsel for applicants as to whether applicants are informant or victim of the crime. He claims that they are witnesses to the incident. It is further contended that since May - 2013 applicants are lodging complaints with the police about illegal extraction of sand from river bed. To support his submissions, he placed reliance on certain documents. When a query was raised to learned counsel for applicants as to whether any complaint was made to any Magistrate if the police has failed to take cognizance, he replies that no complaint is made nor any application was filed under Section 156 (3) of the

Code of Criminal Procedure. Inaction on the part of applicants for a long period of 10 years indicates that they are not victim, but they are interested persons for the prosecution. In such circumstances, the application is rejected.

[R. M. JOSHI]
JUDGE

GGP