

Anand

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

WRIT PETITION NO. 521 OF 2023

Rajendra Sadashiv Aware .Petitioner
Age : 48 years, Occ : Labour
Residing at village Penur,
Taluka : Mohol, District : Solapur.

Vs.

1. The Deputy Superintendent of Police(Rural), .Respondents
Solapur.
2. The Superintendent of Police,
District - Solapur.
3. The State of Maharashtra

Mr. V. V. Phatate, Advocate, for the Petitioner
Ms S. D. Shinde, APP, for the Respondent - State
Mr. Amol Bharati, SDPO, Solapur (Rural) present

**CORAM : SUNIL B. SHUKRE AND
ABHAY S. WAGHWASE, JJ.**

DATE : 08 MARCH 2023

ORAL JUDGMENT (PER : SUNIL B. SHUKRE, J.)

. Heard.

2. Rule.

3. Rule is made returnable forthwith. With the consent
of the parties, the Petition is taken up for final disposal at the

stage of admission.

4. It is not in dispute that in C. R. No. 925 of 2022, Mohol Police Station has filed 'A' Summary Report before the concerned Criminal Court. If that is so, the Petitioner, being a Complainant, would have a right to oppose acceptance of 'A' Summary Report by the Criminal Court. But, that will be possible only if the Petitioner is relegated to the Court, where 'A' Summary Report is pending for consideration.

5. In view of above, relegating the Petitioner to the Criminal Court, where 'A' Summary Report is pending for consideration, we dispose of the Petition on the following directions.

O R D E R

(i) The Petitioner shall be given due opportunity of hearing and shall also be permitted to place on record additional documents, if any, before 'A' Summary Report is appropriately decided by the concerned Criminal Court;

(ii) We direct the concerned Criminal Court to decide 'A' Summary Report in accordance with law and as expeditiously as possible, preferably within a period of four weeks from the date of appearance of the Petitioner before it;

(iii) The Petitioner shall appear before the concerned Criminal Court on 15.03.2023.

6. The Petition is partly allowed & disposed of. Rule is made absolute in the above terms. No costs.

(ABHAY S. WAGHWASE, J.)

(SUNIL B. SHUKRE, J.)