

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APL) NO. 718/2023

(Sau. Bharati w/o Vasant Eshtam & ors. Vs. State of Maharashtra & anr.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. S.S. Taram, Advocate for applicants.
Mr. S. S. Doifode, APP for non-applicant Nos. 1 & 2.

CORAM: VINAY JOSHI AND
VALMIKI SA MENEZES JJ.

DATED : 06/06/2023.

Heard.

2. **Admit.**

3. The applicants have called in question the order dated 05.05.2023 passed by the Executive Magistrate in terms of Section 111 of the Code of Criminal Procedure ('Code'). The said provision contemplates that while Magistrate acting under Section 107 of the Code, deems it necessary to issue show cause notice, he shall make such order in writing, setting forth the substance of the information received, the amount of the bond to be executed. The said order can be called in question in revision. However, the impugned order itself appears to be in the nature of show cause notice.

4. In view the circumstances, the applicants shall be permitted to file his reply within two weeks before the authority on which, appropriate decision shall be taken.
5. Application stands disposed of in above terms.

(VALMIKI SA MENEZES, J.)

(VINAY JOSHI, J.)

Gohane