



IN THE JUDICATURE OF HIGH COURT AT BOMBAY
BENCH AT AURANGABAD

951 CRIMINAL WRIT PETITION NO. 1172 OF 2024

GANGARAM MASHANAJI FARASHE AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for the Petitioners : Mr. Kamble Dinkar G.

APP for Respondent-State : Mr.S.A.Gaikwad

...

CORAM : SMT. VIBHA KANKANWADI
AND
ABHAY S. WAGHWASE, JJ.

Dated : August 07, 2024

PER COURT :-

1. Heard learned Advocate for the petitioners.
2. It appears that Criminal M.A.No.236 of 2023 was filed on behalf of petitioners before learned Judicial Magistrate First Class (JMFC), Degloor, District Nanded under Section 156(3) of the Code of Criminal Procedure. The learned Magistrate by order dated 16-10-2023 allowed that application and directed the investigation.
3. Now, learned Advocate for the petitioners, upon enquiry, makes a statement that no FIR has been lodged on the basis of that order. But then, he says that the petitioners have not approached the concerned Magistrate giving that information that the FIR has not been filed though the order was passed. Infact, the petitioners ought to have knocked the doors of the learned JMFC first.
4. We dispose of writ petition by directing the petitioners to approach the learned Magistrate.

(ABHAY S. WAGHWASE, J.)

(SMT. VIBHA KANKANWADI, J.)