

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 5195 OF 2021****Sachin Nagnath Gaikwad**

... Petitioner

V/s.**The State of Maharashtra & Ors.**

... Respondents

Mr. Vikas Kolekar for Petitioner.

Mr. A.S. Shalgaonkar, A.P.P. for Respondent No.1-State.

**CORAM : A. S. GADKARI AND
DR. NEELA GOKHALE, JJ.****DATE : 3rd September 2024.****P.C. :**

1) By present Petition, the Petitioner, accused in C.R. No.2 of 2020, registered with Salgarvasti Police Station, District Solapur under Section 376 and 504 of the I.P.C., has prayed for writ of mandamus thereby directing Respondent to register the F.I.R. against the Police Sub-Inspector Mr. S.P. Sutar.

2) It is principal contention of the Petitioner that, his signature on the seizure panchnama of his mobile phone dated 2nd February 2020 is forged by the Police Sub-Inspector Mr. S.P. Sutar and therefore the crime may be registered against the said Officer.

3) Perusal of the record indicates that, the said seizure panchnama dated 2nd February 2020, was effected in presence of two panch witnesses

and it is drawn as per requirement of law. We see no reason to disbelieve the same at this stage. *Prima facie* it appears to us that, as the Police Sub-Inspector Mr. S.P. Sutar investigated the same crime and has forwarded the final Report before the trial Court, the Petitioner is having grudge against him and therefore present Petition is filed.

4) In view of the above, we find no merits in the Petition and is accordingly dismissed.

(DR. NEELA GOKHALE, J.)

(A.S. GADKARI, J.)

RAJESH
VASANT
CHITTEWAN

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