

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

CRIMINAL REVISION APPLICATION NO. 177 OF 2024

SATISH
RAMCHANDRA
SANGAR

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SATISH RAMCHANDRA
SANGAR

Date: 2024.07.11
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Kiran Patel and Ors.

...Applicants

vs.

State of Maharashtra and Anr.

...Respondents

Mr.Girish Kulkarni – Senior Advocate i/b. Mr.Maitreya Shukla:-	Advocate for Applicants.
Mr.A.S.Gavai:-	APP for Respondent No.1 – State.
Mr.Ashok Mundargi – Senior Advocate a/w Mr.Pranav Badheka, Mr.Aditya Mithe, Mr.Himank Singh and Mr.Suyash Bartake i/b. Desai and Diwanji:-	Advocates for Respondent No.2.

CORAM : S. M. MODAK, J.

DATE : 8th JULY 2024

P. C. :-

1. Heard learned Senior Advocate Shri.Kulkarni on remaining arguments. He made emphasis on following facts:-

- (a) A copy of order dated 8th December 2023 passed by the Court of Civil Judge Senior Division – Thane in Special Civil Suit No.305 of 2019. He placed its copy on record. According to learned Advocate Shri.Badheka, the order of

refusal was passed on 14th March 2023 whereas, the impugned order was passed by the Sessions Judge on 13th December 2023. Yet, its relevancy will be considered when the matter will be decided. At present, it is taken on record and marked as Annexure-X.

- (b) The observations made by the Sessions Judge in the impugned order.
- (c) The observations made by the Court of JMFC in his order.

2. Learned Senior Advocate Shri.Kulkarni wants to invite my attention to the contents of letter dated 15th December 2022 on Page No.260 sent by the Assistant Police Inspector – Economic Offences Wing addressed to the Assistant Commissioner of Police. Whereas, according to learned Advocate Shri.Badheka, this letter was not there before the Magistrate when the first order was passed and it was obtained by the Applicants as per the Right to Information Act, 2005. According to learned Senior Advocate Shri.Kulkarni, the letter on Page No.260 was placed before the Sessions Judge.

3. What was there before the Magistrate is the letter dated 14th February 2022 on Page No.220 sent by Assistant Police Inspector to the Complainant informing him that no offence is disclosed after their enquiry.

4. On the next date, the Court will hear the learned Senior Advocate Shri.Kulkarni on both these letters.
5. In view of that, stand over to **31st July 2024**. To be listed “**High on Board**”.

[S. M. MODAK, J.]