



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

CRIMINAL WRIT PETITION NO. 714/2024

Smt. Madhuri w/o. Surendra Mahakalkar

Vs.

State of Maharashtra and Ors.

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

Court's or Judge's orders

Mr. Raju Kadu, Advocate for Petitioner.
Ms S. S. Jachak, A.P.P. for Respondents/State.

CORAM : VINAY JOSHI AND MRS.VRUSHALI V. JOSHI, JJ.
DATED : 06/09/2024.

. Heard.

2. The petitioner has filed a police report in which investigation was not conducted in proper manner. In the result, the petitioner had approached to this Court by Writ Petition No.680/2020. In the said petition, the prosecution made a statement that after the investigation, the Investigating Agency has prepared 'B' Final report, which would be filed in the Court of Magistrate. This Court also directed the Magistrate to give a right of hearing to the complainant i.e. the petitioner and to decide 'B' Final report in accordance with law.

3. In pursuance of that the petitioner appeared in 'B' summary and filed his protest petition. During pendency, the petitioner has filed an application dated 09.06.2022 requesting the Court to decide said application calling certain documents before finally deciding 'B' final report. It is the petitioner's grievance that the said application is still pending, which ought to have been decided earlier. As regards to the said prayer is concerned,

the petitioner shall make separate application with the reasons requesting the Magistrate to decide said application first, on which, the Magistrate having regard to the facts and circumstances, take appropriate steps and pass necessary orders.

4. The petitioner has also sought direction that the order passed by the Magistrate dated 06.07.2023 on petitioner's application dated 12.06.2023 be directed to be implemented. The Magistrate vide said order directed the concerned police to supply documents which are found to be necessary. Since the order of Magistrate has not been complied, the petitioner has to approach the same Court for taking further necessary steps for compliance, which are permissible under law.

5. If such applications are filed, the Magistrate shall hear both sides and pass the appropriate orders in accordance with law.

6. The petition stands disposed of in above terms.

(MRS. VRUSHALI V. JOSHI, J.)

(VINAY JOSHI, J.)