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34criwp226.25

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

34 CRIMINAL WRIT PETITION NO. 226 OF 2025

BALU MALBA ALAPURE

....Petitioner

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

.....Respondents

Mr. S. B. Madde, Advocate for the petitioner

Mr. R. B. Dhaware, APP for the respondents/State

CORAM : KISHORE C. SANT, J.

DATE : 16th JUNE, 2025

P. C.

1. Heard the learned advocate for the petitioner and learned APP

2. The application of the petitioner seeking further investigation came to be rejected by the learned JMFC, Ahmedpur by order dated 29-08-2024 passed below Exh.50 in RCC No.22/2017. The revision filed against that came to be dismissed by order dated 15-01-2025.

3. It is observed that informant has filed an application after the period of six years from the date of incident. No case is made out to direct further investigation.

4. The learned Advocate for the petitioner vehemently argued that in fact the Investigating Officer has not collected the vital evidence. Injury certificate dated 08-03-2017 is also not collected by the Investigating Officer. By pointing out the photograph, he submits that one of the injuries received is serious injury that is also not seriously investigated. He, thus, submits that further investigation ought to have been directed by the court.

5. The learned APP informs that though the case is of 2017, this application was filed for the first time on 08-06-2023. No attempts were made by the informant to get the order for further investigation. Both the courts have rightly held that no case is made out. He further submits that this application was filed after framing of charges and for this reason also the

application was not maintainable.

6. On hearing the parties, this court finds that no purpose would be served by issuing notice as the informant has himself filed an application after seven years of the incident for further investigation. No any attempts were made earlier. It clearly shows that application is casually filed and if further investigation is directed, it will only prolonging the trial.

7. Considering all above, this court is not inclined to allow the criminal writ petition. Therefore, the criminal writ petition stands dismissed.

[KISHORE C. SANT, J.]