



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,  
BENCH AT AURANGABAD.

**CRIMINAL WRIT PETITION NO. 299 OF 2025**

ANUJA W/O. AJINKYA GANECHARI  
VERSUS  
THE STATE OF MAHARASHTRA

...

Advocate for the Petitioner : Mr. Chandrakant V. Thombre.

APP for Respondent / State : Mr. G. A. Kulkarni.

...

CORAM : **SMT. VIBHA KANKANWADI &  
SANJAY A. DESHMUKH, JJ.**

DATE : 10<sup>th</sup> March, 2025.

**Per Court:**

. Not on board. Mentioned. Taken on board.

2 We have heard the learned counsel for the petitioner.

3 It is stated that it is a non-cognizable report i.e. filed and the CCTV footage was asked from the Family Court, which has not been provided. It appears from the daily status of another proceedings i.e. PWDVA Application No.553 of 2021 that already the concerned Court has directed the husband not to contact the applicant on phone or any media.

4 When an N.C. has been filed under Section 174 of the BNSS, then as per Sub-Section (2) of Section 174 of the BNSS, the

police officer has the power to investigate such non-cognizable case with the permission of the Magistrate having power to try the case or commit the case for trial. Certainly, if the incident had taken place within the premises of the Family Court, the CCTV footage cannot be given to a private person, but certainly it can be given to the investigating officer, who would be then investigating it under Section 174 (2) of the BNSS, after obtaining necessary sanction, and therefore, we do not find this to be a fit case where we should exercise our Constitutional powers.

5                   The writ petition stands dismissed at the threshold.

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**[ SANJAY A. DESHMUKH, J. ]      [ SMT. VIBHA KANKANWADI, J. ]**