



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.1674 OF 2025

- 1) Amol S/o Ganpat Raut,
Age-29 years, Occu:Agri.,
R/o-Kanadkheda (Khurd),
Taluka and District-Hingoli,
- 2) Ganpat S/o Laxman Raut,
Age-55 years, Occu:Agri.,
R/o-As Above,
- 3) Praful S/o Ganpat Raut,
Age-25 years, Occu:Agri.,
R/o-As Above,
- 4) Rahul S/o Vishwanath Ghantode,
Age-41 years, Occu:Agri.,
R/o-Pandharpur Nagar, Hingoli,
Taluka and District-Hingoli.

...APPLICANT

VERSUS

- 1) The State of Maharashtra,
Through Police Station Incharge,
Hingoli Rural Police Station,
District-Hingoli,
- 2) Vijay Dnyanba Raut,
Age-40 years, Occu:Legal Practitioner,
R/o-Kanadkheda (Kh),
Taluka and District-Hingoli.

...RESPONDENTS

...
Mr. Madhav Jadhav Advocate h/f. Mr. A.S. More Advocate for
Applicants.
Mr. P.S. Patil, Additional P.P. for Respondent No.1.
...

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

DATE : 16th JULY, 2025

ORDER [PER SMT. VIBHA KANKANWADI, J.] :

1. Heard learned Advocate Jadhav holding for learned Advocate Mr. More for the applicants and learned APP for respondent No.1. There is no necessity to issue notice to respondent No.2.

2. Learned Advocate appearing for the applicants has taken us through the contents of the First Information Report and states that the applicants have received notice by police in respect of interrogation on 29th October 2024, which is after the considerable delay i.e. six months. The applicants are the relatives of the informant and property dispute is going on between them and therefore, it is highly impossible that the informant would not have recognized / identified the applicants still he went on to lodge the FIR against unknown persons. Present applicant No.1 has lodged FIR on 27th July 2024 vide Crime No.250 of 2024 with Goregaon police station, District-Hingoli for the offence punishable under Sections 296, 125, 191(2), 191(3), 190, 352, 351(3), 189(2) of Bharatiya Nyaya

Sanhita, which shows that there is dispute between the informant and the applicants. Therefore, it would be unjust to ask the applicants to face the further investigation and trial.

3. Upon query, the learned Advocate for the applicants submits that the applicants have been arrested in connection with Crime No.164 of 2024 but he was unable to give the date of arrest. It might have been surely after they had received the notice. The notice was given to them on or around 29th October 2024, yet they approached this Court on 28th April 2025. Now it appears that the investigation is not complete. The FIR was against unknown persons. There might have been the further progress in the investigation thereby leading the connection between the crime and the present applicants and without there being any documents produced in that respect, merely on the basis of some property dispute, it cannot be presumed that the FIR has been lodged with mala fide intention.

4. At this stage, no case is made out for exercise of powers under Section 482 of the Code of Criminal Procedure. The Application stands rejected at the threshold.

[SANJAY A. DESHMUKH]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

asb/JULY25