



IN THE JUDICATURE OF HIGH COURT AT BOMBAY
BENCH AT AURANGABAD

13 CRIMINAL WRIT PETITION NO. 1558 OF 2020

SMT. KAMAL W/O BADRINARAYAN KENEKAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

....
Advocate for the Petitioner : Mr. S.P. Sonwane h/f Mr. S.S. Thombre
APP for Respondents-State : Mr. A.R. Kale
....

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

Dated : 21th March 2025

PER COURT :-

1. Learned APP submits that 'A' Summary has been filed before the learned trial Judge. It appears that the offence was registered under Section 498-A and 306 of the Indian Penal Code. However, the present petition was filed for direction to respondent No.4 to register an offence under Section 302 of the Indian Penal Code. When 'A' Summary has been filed, then definitely, as per the procedure, the Magistrate may issue notice to the informant i.e. the present petitioner and even if that notice is not issued, the petitioner has a right. Now, in view of the information received to appear before the Magistrate *suo moto* and if, at all, the petitioner wants to file a protest petition, she would be at liberty.

2. With these observations, the writ petition stands disposed off.

[SANJAY A. DESHMUKH]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE