



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 2186 OF 2025
WITH
CRIMINAL APPLICATION NO. 3133 OF 2025
IN
CRIMINAL APPLICATION NO. 2186 OF 2025

Bapurao s/o Sampat Chavan,
Age : 35 years, Occu : Agri.,
R/o. Garkheda, Tal. Jintur,
Dist. Parbhani

...APPLICANT

Versus

1. Usha w/o Bapurao Chavan,
Age : 29 years, Occu : Labour,
R/o. At present, Sorja, Tal. Jintur,
Dist. Parbhani.
2. Sonu d/o Bapurao Chavan,
Age : 12 years, through a natural guardian,
i.e. real mother Respondent No.1.
Usha w/o Bapurao Chavan,
R/o. As above

...RESPONDENTS

Mr. M. P. Kale h/f Mr. R. R. Kale, Advocate for the Applicant.
Mr. Shirish M. Kamble, Advocate for Respondents.

CORAM : ABHAY J. MANTRI, J.
DATE : NOVEMBER 25, 2025

ORAL JUDGMENT :

1. Heard. **Rule.** Rule is made returnable forthwith and heard finally by consent of the learned counsel for the parties, at the stage of admission.
2. By this application, the applicant is challenging the order dated 03rd July 2019, passed by the learned Judicial Magistrate First Class, Jintur,

below Exhibit 52 in Criminal Miscellaneous Application No. 254 of 2015, whereby the application below Exhibit 52 to be attached with the application below Exhibit 1.

3. The learned counsel for the applicant only contended that the learned Magistrate has not passed a reasoned order while passing the order below Exhibit 52, which is attached with Exhibit 1, and therefore, the said order is liable to be set aside. However, I do not find any substance in his contention. The learned Magistrate has not decided the application on merits; he has only passed below Exhibit 52 to be attached to Exhibit 1, as the applicant failed to file a say to the said application. As such, I do not find any merit in the submission made by the learned counsel in that regard.

4. On perusal of the record, it appears that upon filing this application, notices were issued to the respondents, and the respondents have appeared through counsel.

5. In view of the above, it would be appropriate to impose costs on the applicant, as by filing this application, he has abused the process of law; in fact, no specific order was passed on the application below Exhibit 52.

6. As a result, the application, being devoid of merits, stands dismissed with costs of ₹ 10,000/-. The applicant is directed to deposit the costs before the learned Magistrate within eight (08) weeks from today; failing which, the learned Magistrate may pass appropriate orders to ensure

compliance.

7. On deposit of the same, the learned Magistrate is requested to transfer an amount of ₹ 6,000/- to the Bank Account of the applicant and an amount of ₹ 4,000/- to the Bank Account of the District Court Legal Services Authority. The rule is discharged.

8. In view of the above, Criminal Application No.3133 of 2025 is disposed of.

(ABHAY J. MANTRI, J.)