



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

989 CRIMINAL WRIT PETITION NO. 1384 OF 2025

Nikhil Ashokrao Hausare
Age 33, Occu: Education/Business
R/o Sumedhnagar, Dhanegaon,
Tq. and Dist. Nanded ... Petitioner

VERSUS

1. The State of Maharashtra,
Through its Secretary, Home Department,
Mantralaya, Mumbai.
2. The Superintendent of Police, Nanded
Tq. & Dist. Nanded.
3. Police Inspector, Police Station Nanded (Rural),
Tq & Dist. Nanded.
4. Dhyaneshwar S/o Devidas Matwad,
Age: Major Years; Occu; P.S.I. Police Station Nanded (Rural),
Tq. & Dist. Nanded.

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Mr. Dhage Vaibhav B., Advocate for the Petitioner
Mr. S. P. Sonpawale, Addl. PP for Respondents State

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CORAM : SANDIPKUMAR C. MORE &
Y. G. KHOBRADE, JJ.

DATE : 16th December, 2025

P. C. :

1. Learned APP filed on record, affidavit in reply. It is taken on record.
2. The present petition is filed by the petitioner seeking direction to register F.I.R. against Respondent No.4 and other concerned police officials for the offences punishable under the IPC/BNS and SC/ST

(Prevention of Atrocities) Act on the basis of petitioner's complaint dated 19.08.2025 lodged with the Superintendent of Police-Respondent No.2, pursuant to MLC dated 15.08.2025.

3. On going through the aforesaid complaint, it appears that there was incident of theft in the shop of the Petitioner in the intervening night between 14.08.2025 and 15.08.2025. For that purpose, when the petitioner approached Gramin Police Station, Nanded alongwith his friend for lodging report on 15.08.2025 at about 3.00 p.m., the concerned police official sent Shri Mupade and one another to the spot of incident and thereafter asked them to meet P. I. for lodging report. Accordingly at about 7.30 p.m. when the petitioner and his friend met P.I. Shri Chincholkar, he asked them to meet PSI Dhyaneswar Devidas Matwad i.e. Respondent No.4. It has been alleged by the petitioner that Respondent No.4 abused him in the name of his caste and also slapped him on his cheek and head in front of his friend Gourav Kanthiram Bhosikar. Thereafter, his friend took the petitioner to hospital at Vishnupuri, where the petitioner was treated.

4. Further, the reply of respondent No.2 indicates that enquiry was conducted pursuant to the aforesaid complaint of the petitioner by the Sub Divisional Police Officer, Itwara, Nanded who recorded statements of some persons including aforesaid friend of the petitioner and thereafter came to the conclusion that no substance was found in the aforesaid complaint. On the contrary, it was observed that the petitioner had lodged a false complaint.

5. Further, it appears that Gourav Bhosikar, friend of the complainant, who had accompanied him at the time of alleged incident, had also given statement before the police mentioning that no incident had taken place as stated in the complaint, but when they went in Nanded Gramin Police Station, Respondent No.4 only told the petitioner to lodge complaint with PSO. He has specifically stated that in his presence no abusing or beating was done with the petitioner. Therefore, it appears that the police have duly enquired with the aforesaid complaint of the petitioner and found that no such incident of abusing or beating took place.

6. Learned counsel for the petitioner submits that the enquiry is silent in respect of CCTV footage and MLC of the petitioner, wherein it is revealed that he suffered blunt trauma on his cheek at the relevant time. However, in view of the enquiry, it has been established that no incident as alleged in the complaint had taken place. Therefore, if the petitioner is not satisfied with the outcome of the said enquiry, he may take recourse to the law by availing appropriate remedy as may be permissible in law. In view of the same, the petition is disposed of.

(Y. G. KHOBRAGADE, J.)

(SANDIPKUMAR C. MORE J.)

JPChavan