



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL WRIT PETITION NO. 308 OF 2025

Dnyandev Bhagwat Suralkar .. Petitioner

Versus

The State of Maharashtra and another .. Respondents

Shri Nasimoddin R. Shaikh, Advocate for the Petitioner.
Mrs. Chaitali Choudhari-Kutti, A.P.P. for the Respondent No. 1.

**CORAM : SHAILESH P. BRAHME, J.
DATE : 18TH MARCH, 2025.**

ORDER :

. This petition is directed against order dated 10.02.2025 passed by the learned Judicial Magistrate First Class, Yawal in S.C.C. No. 156 of 2022 thereby returning the complaint at the stage when the petitioner/complainant's evidence is over.

2. Learned counsel for the petitioner relied on the **judgment dated 24.11.2015 of the Supreme Court in the matter of Bridgestone India Pvt. Ltd. Vs. Inderpal Singh reported in Criminal Appeal No. 1557 of 2015 and judgment of the Bombay High Court dated 28.04.2015 in the matter of Vasant S. Gala Vs. State of Maharashtra and another in Criminal Writ Petition No. 4073 of 2014** to buttress the submission that the complaint filed by him is perfectly maintainable before the jurisdictional Magistrate and it is not

permissible to return the complaint at the stage when evidence of the petitioner is over.

3. Issue notice to the respondents, returnable on 16.04.2025. Learned A.P.P. waives notice for the respondent No. 1.

4. In the mean time there shall be stay to the effect, operation and execution of the order dated 10.02.2025 passed in S.C.C. No. 156 of 2022 by the Judicial Magistrate First Class, Yawal.

[SHAILESH P. BRAHME J.]

bsb/March 25