

UDAY
SHIVAJI
JAGTAP

Digitally
signed by
UDAY
SHIVAJI
JAGTAP
Date:
2025.01.30
18:57:14
+0530

Uday S. Jagtap

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO. 7 OF 2024

Anil Appaso Kunnure

.. Applicant

Vs.

Abasaheb Vachisth Bade & Anr.

.. Respondents

....

Mr. Satish Kumbhar for the applicant

Mr. S.H. Yadav, APP for the respondent – State

....

CORAM : PRITHVIRAJ K. CHAVAN, J.

DATE : 30th JANUARY, 2025.

P.C.

1. Heard.

2. Learned JMFC, Kurundwad by an impugned order dated 30th December 2022 dismissed the complaint under Section 256 of the Cr.P.C. precisely on the ground that the complainant was consistently absent and it appeared to the trial Court that he was not interested in prosecuting the complaint.

3. Learned Counsel informs that he served the respondent privately and has placed an envelop which reveals so called

endorsement by the Postal Department “गावी नाही”. Such remarks is uncalled for as it does not reflect whether the accused had left the address or had shifted somewhere temporarily or had refused to accept the notice. Be that as it may.

4. Issue notice to the respondent returnable on **27th February, 2025**.

5. Liberty to reserve the respondent with a fresh notice and file an affidavit of service before the returnable date.

(PRITHVIRAJ K. CHAVAN, J.)