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

Criminal Writ Petition No.4313 of 2024

Ishwar Gulabbhai Naik

... Petitioner

versus

Prakash Vasant Kuray and Anr.

... Respondents

Mr Karansingh Rajput, i/b. Fauzan Shaikh, for the petitioner.

Mr Pankaj Deokar, APP, for respondent No.2/ State.

Coram: R.N. Laddha, J.

Date: 13 January 2025.

P.C.:

. Heard.

2. The learned Counsel for the petitioner submits that the learned Magistrate, before issuing the order, failed to record the substance of the complainant's examination by verification. Instead, the complainant filed a typed copy of the verification statement in the trial Court. Section 200 of the Cr.P.C. emphasized the crucial role of the complainant in criminal proceeding, and the examination of the complainant is not merely a formality.

3. Issue notice to respondent No.1, returnable on **25 February 2025**. The learned Magistrate, 32nd Court, Bandra, Mumbai shall defer the proceedings in CC No.231/SW/2014 till the next date.

(R.N. Laddha, J.)