

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 3733 OF 2025

Dadaso Gorakh Chavan

.Petitioner

Versus

The State of Maharashtra & ors.

.Respondents

Mr. Anand Patil a/w. Mr. Soham Powar, Advocates, for the
Petitioner

Mr. C. D. Mali, APP, for Respondent No. 1 - State

CORAM : S. M. MODAK, J.

DATE : 16.07.2025

P. C.

1. Heard Mr. Patil, learned Advocate for the Petitioner and Mr. Mali, learned APP for Respondent No. 1 – State.

2. On the complaint of the Petitioner, learned JMFC, Mangalwedha, Solapur directed the officer (Incharge) of the Mangalwedha Police Station, Solapur to investigate the offence by himself or through his sub-ordinate. It seems that this Order was passed by taking re-course to Section 156(3) of the Code of Criminal Procedure, 1973. The complaint was filed against in all 13 Accused persons. They are all forest officers deputed at various places.

3. Accused Nos. 1 to 12 have challenged the said Order by way of Revision Application before the learned Additional Sessions Judge, Pandharpur. Notice was issued to the present Petitioner. He also submitted when the Revision was fixed on 20.01.2024, learned Additional Sessions Judge, Pandharpur had granted stay to the Order dated 04.01.2024 passed by the learned JMFC, Mangalwedha. It was the Order passed with caution. That is to say the stay will be operative only if the offence is not registered.

Learned Judge considered two facts :-

- (a) If the stay is granted, FIR will be registered and the Revision Application will become infructuous.
- (b) The present Petitioner sought time to file reply.

4. The said Revision Application is still pending. The grievance is that the Revisional Court is not deciding the Revision Application whereas the Order was stayed and hence, investigation is stopped. There are certain roznamas filed. One roznama dated 05.04.2025 records that Advocate for the Applicant argued the matter but it was adjourned for argument of the Opponent/present Petitioner.

5. Mr. Patil, learned Advocate for the Petitioner is disputing these entries. According to him, in fact, his client is ready but for some or other reason, the Revisional Court is not taking the matter. Be that as it may, direction can be given to the Revisional Court to decide the Revision Application as early as possible. There is no need to issue notice as this Court is not deciding the matter on merits as to whether the Order is proper or not.

6. In view of that, the following Order is passed.

O R D E R

- (i) Learned Additional Sessions Judge, Pandharpur is directed to decide the Cri. Revision Application No. 6 of 2024 as early as possible and dispose it of the same in accordance with law.
- (ii) The Petition stands disposed of.
- (iii) No observations on merits.

(S. M. MODAK, J.)