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

CRIMINAL WRIT PETITION NO. 4430 OF 2025

Sainath Mahadu Bhoir

...Petitioner

vs.

The State of Maharashtra

...Respondent

None for the Petitioner.	
Smt. Gauri S. Rao	APP for the State.
Ms. Madhuri Pate, API attached to Nerul Police Station present.	

CORAM : S. M. MODAK, J.

DATE : 20th AUGUST 2025

P. C. :-

1. Heard Learned APP. None present on behalf of the Petitioner.

The prayers made in this Petition is to issue directions to the Court of J.M.F.C., Belapur, Navi Mumbai to expedite the hearing of Regular Criminal Case No. 1123 of 2021. Considering the limited prayer, I have decided the Petition after going through the averments.

2. The Petitioner is the first informant in FIR bearing no. 174 of 2020. It is registered with Nerul Police Station, Navi Mumbai for the offences under Sections 420, 465, 467, 468, 471 read with 34 of the

Indian Penal Code, 1860 (“the IPC”). In all 15 persons were named in the FIR.

3. The Petitioner has averred that the charge-sheet was filed on 1st October 2021. The charge-sheet is filed only against one Mr.Kashinath Janardan Patil, whereas others are exonerated. If the Petitioner is aggrieved there are remedies available to him. The Petitioner has averred that the matter is fixed by the Trial Court was “awaiting summons” (Paragraph No.4). It is no doubt true if the charge-sheet is filed on 1st October 2021, it is the job of the local police to serve the summons on the charge-sheeted accused. Let, learned APP also to instruct the Officer who is present to serve the summons on the accused at the earliest, if it is not served earlier.

4. In Paragraph No.6, the Petitioner has expressed apprehension at the hands of the accused but no incidents are quoted. The Petitioner is at liberty to take the appropriate steps as permissible by law. The Petitioner apprehends about not proceeding with the trial by the Learned Magistrate.

5. Along with the Petition a copy of the complaint lodged by the Petitioner to Navi Mumbai Police Station is annexed on Page No.12. It

is not clear whether the FIR is filed on the basis of said complaint. However, the Petitioner is at liberty to take appropriate steps, if action is not taken on the basis of said complaint.

6. Even the officer is present and submitted through learned APP that she is not aware whether the charge-sheet is filed. But the Petitioner has given a case number. It has to be believed. If the charge is not framed, even though the charge-sheet is filed in the year 2021, certain directions are justified. Now submitted that the charge-sheet is filed only against one accused on the basis of complaint on Page No.12. So also the Learned Magistrate has to issue directions to the police to serve the summons on the charge-sheeted accused, if any. These directions are sufficient at this juncture.

7. With these observations, the Writ Petition is disposed of.

[S. M. MODAK, J.]