



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL WRIT PETITION NO. 245 OF 2025

Ashish Vinayk Rao Kanherkar

Vs.

State of Maharashtra, Thru. P.S.O., PS Anjanagaonsurji, Dist. Amravati

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. S.D. Sirpurkar, Advocate for petitioner.

Mr. S.M. Ghodeswar, APP for respondent/State.

**CORAM : NITIN W. SAMBRE AND
MRS. VRUSHALI V. JOSHI, JJ.**

DATE : 24.03.2025.

Heard.

2. It is the case of the petitioner that in pursuant to the alleged encroachment carried out by a private party on the land of the petitioner, a police report with the respondent has resulted into registration of Non-cognizable offence on 21.12.2024 and 01.02.2025.

3. It appears that on 01.02.2025, Crime No.59/2025 punishable under Section 126 of the Bharatiya Nyaya Sanhita, 2023, came to be registered.

4. It is the case of the petitioner that the respondent is conducting itself in a biased manner as the articles, which otherwise should have been seized are not yet seized and since the investigation is not carried out properly, the private encroacher is continuing with his activity.

5. As against above, the learned APP Mr. Ghodeshwar, has urged that already Crime No.59/2025 is registered and the same is under investigation. According to him, since it is premature situation, the respondent has not taken any action in the matter.

6. Be that as it may, we are of the view that since the offence is already registered being Crime No.59/2025, we expect the Police Station Officer i.e. respondent herein, to carry out the investigation in accordance with law, particularly, as regards, the grievance made in the petition about seizure of the articles.

7. The Writ Petition, as such, stands disposed of. No costs.

(Mrs. Vrushali V. Joshi, J.)

(Nitin W. Sambre, J.)