



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

CRIMINAL APPLICATION (APL) NO.1102 OF 2022

Sau. Shalini Sanjaykumar Chaudhari .Vs. State of Mah. and others

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri V.S. Sambre, Advocate for applicant.

Ms U.Y. Sonkusare, Advocate for non-applicant No.2.

Ms Prachi Joshi, A.P.P. for non-applicant/State.

CORAM : ANIL S. KILOR, J.

DATED : 04/02/2025

1. Heard.
2. The applicant filed application under Section 156 of the Code of Criminal Procedure, 1973 for registration of offence against the non-applicants which came to be rejected by the learned Judicial Magistrate First Class, Aheri, vide order dated 07.12.2018 passed in Criminal Misc. Application No.250 of 2018, which was the subject matter of challenge in revision before the learned Additional Sessions Judge, Gadchiroli in Criminal Revision Application No.02 of 2019 wherein the order of the learned Judicial Magistrate First Class, Aheri was maintained vide judgment and order dated 16.06.2022.
3. The present application raises the challenge to the above referred orders. Both the Courts below while rejecting the application moved by the applicant have observed that, it cannot be said that non-applicant No.1 in collusion with non-applicant No.2 mutated the open space

in dispute, in his name without having any legal right and tampered public record in absence of any legal right. Both the Courts below further held that the applicant failed to *prima facie* show commission of cognizable offence at the hands of the non-applicants.

4. The learned counsel for the applicant failed to point out error or illegality if any committed by both the Courts below.

5. In the circumstances, I find substance in the submission of the learned counsel for the non-applicants that there is not merit in the present application.

6. Accordingly the Criminal Application is **dismissed**.

JUDGE