



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

CRIMINAL APPLICATION (APL) NO.592/2025

Nitesh Vasantrya Madikuntawar and Ors. .Vs. State of Maharashtra and anr.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. O. R. Deshpande, Advocate for applicants.
Ms S. Haider, A.P.P. for non applicant No.1-State.
Mrs. S. P Giratkar, Advocate for non applicant No.2.

CORAM : ANIL L. PANSARE AND M. M. NERLIKAR, JJ.

DATE : AUGUST 18, 2025

After having heard for some time, argument of the applicants' counsel that the First Information Report is a counter blast to notice dated 19.02.2024 issued by the applicants, appears to us to be an incorrect submission. Reason being, in the notice itself, the applicants have referred to the complaint made by non applicant No.2 on 18.01.2024 with Police Station, Lakadganj. The applicant No.1 was required to attend Legal Aid Clinic in District Legal Services Authority attached to Police Station, Lakadganj, on 18.01.2024. The applicants have, however, not disclosed in the notice as to what transpired in the police station. What has been stated in the notice is that copy of complaint allegedly made by non applicant No.2 was not given to the applicants.

2. Maybe, that copy of complaint was not given to the applicants, the fact, however, remains that the applicants were summoned in context with the complaint made by non applicant No.2.

3. In the circumstances, what transpired in the Police Station was something which was within the knowledge of the applicants and, therefore, they should have disclosed the same, firstly in the notice given to non applicant No.2 and secondly before this

Court. Instead, the applicants have come up with a case that the FIR is an outcome of the notice dated 19.02.2024.

4. At this stage, counsel for applicants seeks time to take instructions. Time granted.

5. We would expect the applicants to come clean before the Court. At the same time, we would also expect the counsel for non applicant No.2 to disclose the crucial facts, one of which is the complaint made by her on 18.01.2024. Unfortunately, non applicant No.2 has also not disclosed this vital fact.

6. With an expectation of good assistance, list the matter after two weeks.

(M. M. Nerlikar, J.)

(Anil L. Pansare, J.)

Kahale