



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 226 OF 2026

Baburao Bhujangrao Jadhav

VERSUS

The State Of Maharashtra And Another

...

- Mr. Kawade Shrikant G., Advocate for the Petitioner
- Mr. S. A. Gaikwad, APP for Respondent No. 1 - State

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CORAM : MEHROZ K. PATHAN, J.

DATED : 23.03.2026

PER COURT :

1. At the outset, the learned APP raises an objection to the maintainability of the present writ petition, which is filed challenging the order accepting the "A" Summary submitted by the Police Authorities in Crime No. 179 of 2015.

2. The petitioner takes exception to the order dated 23.03.2020, passed by the learned Judicial Magistrate First Class, Bhokardan, whereby the "A" Summary submitted in the aforesaid crime came to be accepted on the ground that the petitioner, who is the informant, had failed to appear before the Court despite service.

3. It is the contention of the petitioner that he did not have knowledge of the impugned order immediately after its passing, as he has been residing at Aurangabad for the past few years for the

educational purposes of his son. It is further submitted that the police authorities did not inform him about the impugned order, nor did they make any attempt to contact him in connection with FIR No. 179 of 2015. The petitioner states that he came to know about the impugned order during proceedings before the office of the District Deputy Registrar, Co-operative Societies, initiated under the provisions of the Maharashtra Co-operative Societies Act, 1960. Upon acquiring such knowledge, he made inquiries regarding the said FIR, applied for a certified copy of the impugned order, and thereafter approached his advocate and filed the present writ petition. It is thus submitted that the petition is filed within a reasonable period from the date of knowledge of the impugned order. Any delay, if caused, is neither intentional nor deliberate, and deserves to be condoned in the interest of justice, failing which the petitioner would suffer irreparable loss.

4. Be that as it may, without entering into the merits of the grounds raised by the petitioner for such non-appearance, this Court finds that the order dated 23.03.2020 accepting the "A" Summary is revisable in nature, and an alternate statutory remedy is available to the petitioner.

5. At this stage, learned counsel for the petitioner seeks leave to withdraw the writ petition with liberty to file an appropriate revision

application challenging the said order, along with an application for condonation of delay.

6. In view of the availability of an alternate remedy, the writ petition is disposed of as withdrawn, with liberty to the petitioner to file a revision application challenging the order dated 23.03.2020, along with an application for condonation of delay.

7. If such an application is filed, the same shall be decided on its own merits, preferably within a period of three months from the date of its filing.

(MEHROZ K. PATHAN, J.)