

Cr. M.A. No. 157/2020
Narsingh Ramchandra Sarpotdar
Vs. Sushil Ram Modi,

MHNS230007332020



Order below Exh. 05

This is an application by the applicant to take up main application for hearing and direct investigation Under section 156(3) of the Cr.P.C. It is state that, informant has sustained injuries in the accident and his wife has expired in the said accident. Non-applicant has lodged report vide Cr.No.64/2019. However, concerned police station failed to lodged report of the applicant. Hence, main application for direction of investigation be taken up for hearing.

02. Heard Learned Advocate for the applicant. He submitted that, accident was occurred on 13.06.2019. Applicant's wife expired on 28.06.2019. Concerned police station have not added section 304-A of the IPC and for also not lodged report of the applicant. He further submitted that, applicant have filed application before Wadiwarhe Police Station as well as Superintendent of Police Nashik, Rural. However, no action has been taken. Accordingly, prayed for hearing on main application.

03. I have given careful consideration to the submissions advanced by Learned Advocate for the application. Perused material

on record. Hon'ble Bombay High Court and Hon'ble District Court has provided with SOP (Standard Operating Procedure) which lays down guideline as to which matter can be taken up for hearing. Therefore, it is primarily necessary to see whether this matter can be taken up in view of guideline laid down in the SOP. Applicant has sought for permission to argue main application for directions to concerned police station to investigate in accordance of Section 156(3) of the Cr. P.C. Therefore, witnesses or parties need not present in the Court. There is no hurdled in hearing the argument on the main application. Accordingly, I pass following order.

ORDER

Applicant is to permitted to argue main application.

Place: Igatpuri,
Date: 22.07.2020

(R. N. Khan)
Judicial Magistrate First Class, Igatpuri.