

**IN THE COURT OF JUDICIAL MAGISTRATE FIRST CLASS, COURT NO.1,
ANJANGAON SURJI**

Reg. Cri. Case No.93/2019

Atul Shrikrushna Borde

– **Versus** –

Bhanudas Devidas Dhote and Ors.

Order below Exh.1

(Passed on 21th day of **November, 2019**)

This is complaint case for offence punishable under Section 427, 294, 504 and 506 read with Section 34 of Indian Penal Code (in short IPC).

2] It is alleged that the complainant is president of Maroti Sansthan, Nimbhari. He has filed this complaint alleging that accused no. 1 was then president of the Sansthan. By executing false documents, he had given the land belonging to the Sansthan to accused no. 2 for cultivation for 5 years. The accused no. 3 is brother of accused no. 2. It is alleged that on establishing of new body of Sansthan, it was decided to cultivate the land by Sansthan itself. Accordingly, crop of Moong and Toor was sown in the field on 02.06.2019. It is alleged that on 04.06.2019 accused no. 3 came with tractor and destroyed the crop in the field. It was reported to the police. The police registered non cognizable offence. In the complainant it is also alleged that the accused nos. 4 to 6 are signatories on that documents.

3] I have considered allegations made in complaint, verification of complainant and documents filed on record vide list Exh.3, and also

considered submissions made by Ld. Advocate of complainant. There are allegations that accused no. 3 destroyed the crop in the field of the Sansthan. It is also alleged that accused no. 1 has executed a document in favour of accused no. 2 and other accused i.e. nos. 4 to 6 are signatories on that document. From the allegations, it appears that the caused for alleged incident is in respect of cultivation of land. It is of civil nature. Be that as it may, there are allegations as to the commission of alleged offence. It requires some material on record. Therefore, considering facts and circumstances of the case, I hold that it is necessary to direct the police to investigate the case and file report thereon under Section 202 of Cr.P.C. Accordingly, I proceed to pass the following order :

ORDER

Issue Process postponed in view of Section 202 of Cr.P.C. and concerned P.S.O. is directed to investigate the matter and file report as early as possible.

Dt. 21.11.2019

Sd/-
(**V.V. Patil**)
Judicial Magistrate First Class,
Court No.1, Anjangaon Surji

CERTIFICATE

I affirm that the contents of this P.D.F. file of order are word to word as per original order.

Name of Stenographer : G. S. Waghmare