

MHAU030046972023

ORDER BELOW EXH.1 IN Cr.M.A.**NO.888/2023****Sachin Madukar Mule Vs. Ratan Ashru Kagole**

This is application under section 156(3) of the Cr.P.C. for directing Satara Police Station to register FIR under sections 499 and 500 of the I.P.C.

02. The contentions of the applicant/ complainant are as follows :-

The complainant is the partner in Satyasai Holding and Consultant. He purchased the land admeasuring 13 acres in Gut No.15, Kanchanwadi as per registered sale deed bearing no.59/2018 on 04-01-2000. The entire consideration was also paid. But, the respondent / accused started to blackmail and threaten the complainant. The respondent / accused started to defame the complainant in the society. Hence, it is prayed that, an offence be registered against the respondent / accused.

03. The learned advocate for the applicant argued that, all the accused has intentionally committed the offence. He filed the copies of complaints made to the Police Authorities. Thereby, it is submitted an offence be registered against the accused.

04. Considered the submissions. I have perused the documents on record. No doubt, it is the contention of the applicant that, the respondent has committed a serious offence. But, the same shall also be seen from the documents relied upon by him. It is contended that, the respondent / accused intentionally committed the offence. However, the said contention is required to be sufficiently established by the applicant/complainant. Only because facts constitute cognizable offence, in each and every cases it is not necessary to direct the investigation. In the present case, the applicant/ complainant can adduce his evidence to substantiate his contentions.

05. Hence, the following order:

ORDER

The complainant to examine himself and his witnesses,
if any, as per section 200 of Cr.PC.

Aurangabad.

Date : 21/05/2024.

(A. V. Musale)

Judicial Magistrate (F.C.)

(Court No.08), Aurangabad.

CERTIFICATE

I affirm that the contents of this P. D.F. file order is same, word to word, as per the original judgment.	
Name of the Stenographer	: Smt. R. S. Dabhade
Court	J.M.F.C. Court No.08, Aurangabad
Date	21/05/2024.
Order signed by the presiding officer on	21/05/2024.
Order uploaded on	21/05/2024.