

MHAU080013832025



ORDER BELOW EXH. 01 IN CRI. M .A. NO. 125/2025

(Ganesh Shankarpelli Vs. State of Maharashtra)

Applicant Ganesh Shankarlar Shankarpelli filed this application under Section 175(3) of the B.N.S.S. to investigate the alleged incident. It is alleged that, N.A. No. 1 to 6 have committed an offences punishable under Section 336(1), 336(3), 201, 198, 199, 255, 256, 61(1), 3(5) and 3(8) of B.N.S.

02. Whereas, as per the rider put by Sub-Section 3 & 4 of Section 175 of B.N.S.S. it is mandatory to cause the enquiry by Magistrate, calling upon record from police, calling upon record from superior authorities of the non-applicants and calling upon the assertions of non-applicants, it requires to first call upon the assertions of non-applicants. Accordingly, assertion of non-applicants have been called upon and they have filed their assertions.

03. Now, in view of Section 175(4)(a) of B.N.S.S. it requires to receive a report containing facts and circumstances of the incident from the officer superior to the non-applicants. Hence, it is necessary to call such report.

04. Here, Dy.S.P. Sillod is superior authority to the non-applicant No. 1. Secondary Education Officer, Z.P., Aurangabad is superior of authority to non-applicant No. 2. Block Education officer, Sillod is superior authority to non-applicant No. 3. Divisional Commissioner, Aurangabad is

superior officer to non-applicant No. 4 & 6. Non-applicant No. 4 is superior officer to non-applicant No. 5. The way, it requires to call report from the superior officer of each non-applicant. Accordingly, I pass following order :-

ORDER

1. Dy.S.P., Sillod is hereby directed to submit his report as to allegations against non-applicant No. 1.
2. Secondary Education Officer, Z.P., Aurangabad is hereby directed to submit his report as to allegations against non-applicant No. 2.
3. Block Education Officer, Sillod is hereby directed to submit his report as to allegations against non-applicant No. 3.
4. Divisional Commissioner, Aurangabad is hereby directed to submit his report as to allegations against non-applicant No. 4 & 6.
5. Chief Executive Officer, Z.P., Aurangabad is hereby directed to submit his report as to allegations against non-applicant No. 5.
6. All concerned shall submit their report within reasonable time.
7. Copy of Exh. 01 along with relevant documents be forwarded to the concerned.
8. Accordingly, notices be issued along with copy of Exh. 01 and documents therewith.

Date – 06/11/2025

(K. T. Adhayke)
Judicial Magistrate First Class,
Sillod.