

Summary Cri. C.No. 2413/2018
State (P.S. Khamgaon City)
-V/s- Vijay Ravindra Bangar.

Order below Exh.18
(Passed on 21.02.2019)

- 1] Perused the application and the documents filed along with it.
- 2] The A.P.P. filed say and opposed the application, further submitting that conditions may be imposed upon the applicant if the vehicle i.e. Bajaj Ape Auto bearing Registration No. MH28/T-2583, Chasis No. MBX0001CFRE701648, Engine No. P3D2371711, seized in crime No. 467/2018 of P.S. Khamgaon City, U/ss. 279, 304A of I.P.C., is released on supurdama.
- 3] The applicant has filed verified copies of R.C. Book, PUC Certificate and Insurance Policy, alongwith No-objection Certificate issued by Arihant Investment.
- 4] In the application the applicant has not mentioned about the previous application and order passed over such application in the same offence in respect of same vehicle however by virtue of Sec. 40 of Evidence Act the court can look into the previous litigation of the parties to see any bar to subsequent proceeding. Misc. Cr. Appln. Bearing No. 344/2018 was rejected by this Court on merits by order dated 12.10.2018. This court cannot review its order in criminal cases once passed. The present application is not tenable as previously rejected on merits. Hence, the order.

ORDER

1. The application is rejected.

Date :- 21-02-2019

Sd/-
(A. G. Mhaskey)
Judicial Magistrate First Class,
Khamgaon.

Certificate

I affirm that, the contents of this PDF are same words for words, as per the original judgment .

Name of Stenographer : J.B.Ballal

Name of Court : Jt. C.J.J.D. & J.M.F.C., Khamgaon.

Upload on date : 22-02-2019

