

Order below Exh.1

Read the complaint and report filed by police u/sec.202 of Cr.P.C. Heard the learned advocate for the complainant. Positive report disclosing the commission of offence has been send by the police after recording the statements of the witnesses. Therefore, considering the submissions made on behalf of complainant, the statements on oath by complainant, I find it proper to issue process against accused as it sufficiently disclose the commission of offence u/sec.420 of Indian Penal Code. Hence, issue process against accused u/sec.420 of Indian Penal Code.

Date : 01/09/2018

(V. D. Bhosale)
Judicial Magistrate F.C., Ausa.

R.C.C.No.208/2017

Order below Exh.1 in
(Nagarbai vs. Chandrasen)

Read the contents of complaint, documents accompanying and statement of the complainant on oath. I find it necessary to get the investigation carried out by police and to receive the report. It would, therefore, be proper to direct the police officer to investigate the allegations in the complaint u/sec. 202 of Cr.P.C. In result, the following order.

ORDER

The Police inspector, Killari Police Station is directed to investigate the allegations in the complainant and to submit the report vide Sec. 202 of Cr.P.C.

Date : 01/03/2017
(V. D. Bhosale)
Judicial Magistrate F.C., Ausa.

Order below Exh.1 in Cri.M.A. No.314/2016
(Tulsidas V/s Balaji)

Read the complaint and report filed by police U/sec. 202 of Criminal Procedure Code. Police filed negative report thereafter the matter kept for filing say of complainant on the said police report. But complainant failed to file his say. Since long complainant is absent. On perusal of report filed by police, I find no grounds to proceed against any of the accused in the matter. Hence, the complaint is dismissed U/ sec. 203 Criminal Procedure Code.

Date : 8/06/2018

(V.D.Bhosale)
Judicial Magistrate F.C., Ausa.

Cri. M.A. No. /2017

Order below Exh.1 in
(vs.)

Read the contents of complaint, documents accompanying and statement of the complainant on oath. I find it necessary to get the investigation carried out by police and to receive the report. It would, therefore, be proper to direct the police officer to investigate the allegations in the complaint u/sec. 202 of Cr.P.C. In result, the following order.

ORDER

The Police inspector, Killari Police Station is directed to investigate the allegations in the complainant and to submit the report vide Sec. 202 of Cr.P.C.

Date : 01/03/2017

(V. D. Bhosale)
Judicial Magistrate F.C., Ausa.

Cri. No. 432/2013
(Ilahi vs. Babruwan)

Order below Exh.1

Read the complaint and report filed by police u/sec.202 of Cr.P.C. Heard the learned advocate for the complainant. Police have recorded the statements of witnesses. Hence, considering the submissions made on behalf of complainant and the statements of of witnesses filed by police, sufficiently disclose the commission of offence by accused u/sec.420 of Indian Penal Code. Hence, issue process against accused u/sec.420 of Indian Penal Code.

Date : 15/11/2017

(V. D. Bhosale)
Judicial Magistrate F.C., Ausa.

Cri.M.A. No.84/2013
(Sagarbai vs. Vishwambhar)

Order below Exh. 1

In view of withdrawl pursis Exh.23. The petition is withdrawn and disposed off. No order as to costs.

Date : 04/05/2017

(V.D.Bhosale)
Judicial Magistrate F.C., Ausa.

Cri.M.A. No.217/2015
(Sagarbai vs. Vishwambhar)

Order below Exh. 1

In view of withdrawl pursis Exh.10. The petition is withdrawn and disposed off. No order as to costs.

Date : 04/05/2017
(V.D.Bhosale)
Judicial Magistrate F.C., Ausa.

Cri.M.A. No.84/2013
(Sagarbai vs. Vishwambhar)

Order below Exh. 1

In view of withdrawl pursis Exh.23. The petition is withdrawn and disposed off. No order as to costs.

Date : 04/05/2017
(V.D.Bhosale)
Judicial Magistrate F.C., Ausa.

Order below Exh.1 in Cri.M.A. No.31/2015

(Shobha vs. Hanmant)

Opponent is produced before me in execution of recovery arrest warrant of Rs.1,07,000/-. The record shows that he did not pay the amount in this application. The non-applicant is in arrears of maintenance since 16/01/2014 to 16/09/2015. He has not paid any amount towards the arrears of the maintenance till today. Today also he is not willing to pay any amount. Hence, I proceed to pass the following order.

ORDER

1. Opponent is adjudged to undergo simple imprisonment for the period of three months for the

arrears of the maintenance of Rs.1,07,000/-.

2. Opponent be released forthwith if he pays the the amount of Rs.1,07,000/-.

Date :23 /04/2017

(V.D.Bhosale)
Judicial Magistrate F.C., Ausa.

Order in C.R.No.38/2016

This is a report u/sec.169 of the Code of Criminal Procedure regarding the release of accused Maruti Madhav Kasnale. The P.I. has also filed A summary report as the other accused in the said crime is dead and the charge-sheet has been filed against accused No.3 who is unknown person. Therefore, prayed to accept the A summary report.

2. Notice was issued to the complainant. Whereas, he has no objection for granting A summary report. Therefore, considering the submissions of I.O. and the complainant, I proceed to pass the following order.

Order

1. A summary report is hereby accepted.

Date : 10/03/2017

(V.D.Bhosale)
Judicial Magistrate F.C., AUSA.

Order below Exh.146

Read the application and say filed thereon. Perused the records of the case, report of mediation and terms of settlement, as per the terms of settlement, accused was to deposit Rs.50,000/- on 31/12/2016 and remaining amount of Rs.60,000/- till 31/01/2017. But today the accused is seeking adjournment of 15 days for depositing the amount. It is seen that till today accused has not paid or deposited any amount as per the terms of settlement. The reasons stated in the application is not justifiable. Accused failed to fulfill the terms of settlement. Hence, the following order.

Order

1. Application stands rejected.
2. Matter kept for final argument.

Date : 31/01/2017

(V.D.Bhosale)
Judicial Magistrate F.C., AUSA.

Order below Exh.01

Today accused No.1 and 2 voluntarily surrendered before the Court at 4.20 PM. They are arrested and taken into custody on their being surrendered voluntarily. Accused will have to be taken into magisterial custody. Hence, accused No.1 and 2 remanded to MCR till 06/02/2017. Inform Police Station Officer AUSA police station accordingly.

Date : 23/01/2017

(V.D.Bhosale)
Judicial Magistrate F.C., AUSA.

Order below Exh.09

Non-applicant was produced before me in execution of warrant of Rs.45,500/-. He was taken in MCR. But non-applicant is ready to deposit amount of Rs.5,000/- today and assured the court that he will deposit the remaining amount on the fix date. Hence, non-applicant is released after depositing the amount of Rs.5,000/-.

Date : 17/01/2017

(V.D.Bhosale)
Judicial Magistrate F.C., Ausa.

Order below Exh. 1

In view of order passed below Exh.1 dated 24/8/2016, process against accused persons had been issued. Hence, this misc. application be registered as summary case.

Date : 19/10/2016

(V.D.Bhosale)
Judicial Magistrate F.C., Ausa.

Order below Exh. 1

Perused records of the case. The matter is pending for the report u/sec. 156(3) of Cr.P.C. It is seen that the charge-sheet has been filed in the Court as STC No.308/2016. Hence, this misc. application stands disposed of.

Date : 07/09/2016

(V.D.Bhosale)
Judicial Magistrate F.C., Ausa.

Order below Exh. 25

Read the application and say filed thereon. Heard the learned advocates for both the parties. Respondent has filed this application for accepting the cost which was imposed for the adjournment sought by the respondent. On perusal of records of the case it is seen that applicant has filed her affidavit in lieu of examination-in-chief on 09/12/2015. Applicant closed her evidence on 17/02/2016 and thereafter the matter was pending for evidence of the respondent. But the respondent for one and other reasons sought the adjournments on various dates. Thereafter, the adjournment application of respondent at Exh.18 was allowed on cost of Rs.350/-. Similarly, on next two dates also respondent sought the adjournment without the payment of amount of cost, therefore, both the applications were rejected and evidence of respondent was closed on 13/06/2016 by order below Exh.1. Thereafter, again respondent sought adjournments on 12/07/2016 and 21/07/2016 which were rejected. Now this application is filed by respondent for accepting the cost which was imposed on 07/04/2016. Even today also, the respondent has not given any evidence along with this application. From the conduct of the respondent it seems that he is intentionally seeking adjournments, and filed this application to delay the matter. Therefore, the application deserves to be rejected. Hence, the following order.

ORDER

Application is rejected.

Date : 10/08/2016

(V. D. Bhosale)
Judicial Magistrate F.C., Ausa.

Order below Exh.1

Read the complaint and report filed by police u/sec.202 of Cr.P.C. Heard the learned advocate for the complainant. Positive report has been filed by police. Hence, considering the submissions made on behalf of complainant, report filed by police, which sufficiently disclosed the commission of offence by accused u/sec.447, 323, 504, 506 read with section 34 of Indian Penal Code. Hence, issue process against accused u/sec.447, 323, 504, 506 read with section 34 of Indian Penal Code.

Date : 03/08/2016

(V. D. Bhosale)
Judicial Magistrate F.C., AUSA.

Order below Exh. 127

Read the application and say filed. Perused the records of the case. Heard the learned advocates for both sides.

2. This is the second application filed on behalf of the accused for calling the Branch Manager of D.C.C.Bank, Latur under section 311 of Cr.P.C. On perusal of the records of the case it is seen that, on 11/03/2016 the application for calling witness was allowed. The witness was appeared before the Court alongwith records on 06/04/2016 and तिो मला वाचुन दाखवला व त्यानंतर मी त्यावर सही केली. आरोपी माझ्या ओळखीचा नाही. हेपसमक xerox copies and sought time to produce the original documents. Further, is is also seen that, after recording the statement of the accused under section 313 of Cr.P.C. dated 02/03/2013 my learned predecessor had given direction of denova trial by passing order below Exh.1 dated 04/09/2014. Thereafter, fresh evidence was taken and again the statement of the accused u/sec. 313 was recorded on 09/10/2015. Thereafter, the accused filed an application for sending the matter to the hand writing expert which was rejected. Thereafter, accused has filed the above said applications for calling Branch Manager. The matter is pertaining to the year 2010. The trial has already been delayed. Further, the accused by filing one and other applications, trying to prolong the matter. The record has already been produced by the Branch Manager. The record which was available has already been produced by the Branch Manager. Therefore, considering the facts and circumstances of the case it is seen that, accused is intentionally delaying the matter. Therefore, I do not found any

substance in the application. Hence application deserves to be rejected. In result, I proceed to pass the following order.

ORDER

1. The application is rejected.

Date : 21/06/2016

(V.S.Thorat-Bhosale)
Judicial Magistrate F.C., AUSA.

Order below Exh.1 in Cri.M.A. No.167/2014

Opponent is produced before me in execution of recovery arrest warrant of Rs. 1,15,700/-. He in willful disregard failed to pay the aforesaid amount. He has already been sent to civil prison for the arrears of Rs. 11,500/- for the period of 5 months commencing from 16/08/10 to 15/01/2011. He has not paid any amount towards the arrears of the maintenance. Since then the entire amount of maintenance for the period of 15/01/2011 to 16/09/2014 is outstanding. Today also he is not willing to pay any amount. Hence, I proceed to pass the following order.

ORDER

1. Opponent is adjudged to undergo imprisonment for the period of two months for the arrears of the maintenance of Rs. 11500/- for the period of 5 months from 15/01/2011 to 15/06/2011 .
2. Opponent be released forthwith if he pays the the amount of Rs. 11,500/-.

Date :21 /07/2016

(V.D.Bhosale)
Judicial Magistrate F.C., Ausa.

Order below Exh. 1

Complainant filed this complaint again accused under section 138 of Negotiable Instrument Act. On perusal of the records it reveals that the matter is pending for the cross examination of the complaint. Complainant has filed the application at exh 51 to transfer the case to Dist. Court Latur. On perusal of the records it reveals that the matter is pending for the cross examination of the complaint so also the disputed cheque is of state bank of India.

The judgment of Apex code in Dashrath Rupsingh Rathode vs State of Maharashtra reported in 2014 STPL (WEB 499) Supreme court once the cause of action accrues to the complainant , the jurisdiction of the court, to try the case will be determined by the reference to the place where the checking dishonored. In the present case, the cheque is dishonored at Maharashtra gramin bank shivaji chowk branch Latur. Therefore the territorial jurisdiction does not vest with this court. Hence the complaint needs to be written by to the complainant for filing in the appropriate court. Hence the following order

ORDER

1. The complaint along with the documents is returned to the complainant for its presentation for its appropriate court.
2. The complaint is directed to collect the document on or before 19-08-2016
3. The complaint is directed to keep the xerox copy of the complaint and the documents for the record of this court.

Date : 11/08/2016

(V.D.Bhosale)
Judicial Magistrate F.C., Ausa.

Order below Exh.1 in Cri.M.A. No.494/2015

(Sumanbai Vs. Pandit)

Today Opponent is produced before me in execution of recovery com arrest warrant of Rs.14,400/-. The record shows that Non applicant has not paid any amount towards the arrears of maintenance He has landed arrears maintenance of Rs.14,400/- since 01/12/2014 to 01/12/2015. He has not paid any amount towards the arrears of the maintenance till today. Today also he is not willing to pay any amount. Hence, I proceed to pass the following order.

ORDER

1. Opponent is adjudged to undergo simple imprisonment for the period of Three months for the arrears of the maintenance of Rs.14,400/-.
2. Opponent be released forthwith if he pays the the amount of Rs.14,400/-.

Date :25/09/2017

(V.D.Bhosale)
Judicial Magistrate F.C., Ausa.

Order below Exh.1 in

(vs.)

Read the contents of complaint, documents accompanying and statement of the complainant on oath. I find it necessary to get the investigation carried out by police and to receive the report. It would, therefore, be proper to direct the police officer to investigate the allegations in the complaint u/sec. 202 of Cr.P.C. In result, the following order.

ORDER

The Police inspector, Killari Police Station is directed to investigate the allegations in the complainant and to submit the report vide Sec. 202 of Cr.P.C.

(V. D. Bhosale)

Judicial Magistrate F.C., Ausa.

Date : 01/03/2017

Order below Exh.1 in Cri.M.A. No.503/2015
(Vijaykumar V/s Satish)

Read the complaint and report filed by police U/sec. 202 of Criminal Procedure Code. Police filed negative report by taking statements of witness thereafter the matter kept for argument on report filed by police, but complainant is contentiously absent nor his advocate is present the continue the proceeding. On perusal of report filed by police, I find no grounds to proceed against any of the accuse in the matter. Hence the complaint is dismissed U/ sec. 203 Criminal Procedure Code.

Date : 11/12/2017

(V.D.Bhosale)
Judicial Magistrate F.C., Ausa.