

CNR No.MHND270000732026 	OTHER MISC.CRI.A. No.14/2026 Sushilabai Pillewad Vs Dattrao Tipparse
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ORDER BELOW EXH. 1

- 1) Application under section 175(3) of the B.N.S.S. for directing the police to register FIR against the accused, has been prayed.
- 2) Perused the application and documents filed along with it. Heard Ld. Advocate Shri. G.V. Deshmukh for the applicant.
- 3) The alleged offences against the accused are punishable under Section 318(4), 316(5), 3(5) of B.N.S. The applicant has filed copies of reports lodged with Police Station, Barad, and other requisite applications, of various dates. However, they have not taken any action against the accused. It also appears that the applicant complied requirements of section 175(3) of the B.N.S.S.
- 5) In this application entire allegations made against the accused are based on documentary evidence. Therefore, in order to prove the allegation made in the application, help of police is not needed to the applicant and he is in a position to prove said allegations by leading evidence. Therefore, in my view application is not required to be sent under section 175(3) of the B.N.S.S. to Police Inspector, Police Station, Barad. Therefore, prayer of the applicant for sending application for investigation under Section 175(3) of the B.N.S.S. is hereby rejected.
- 6) The applicant has made allegation in writing to this Court with a view of taking action under this the Bhartiya Nyay Sanhita that

(2)

some persons have committed an offence, which gives an inference that present case is to be considered as complaint within a meaning of Section 2(3) of the B.N.S.S. Hence, I pass the following order.

ORDER

1)	The prayer of complainant sending complaint for investigation under section 175(3) of the B.N.S.S. to the Police Station, Barad is hereby rejected.
2)	The application be re-registered as Regular Criminal Complaint Case accordingly and thereafter the complaint be kept for examination of complainant and his witnesses as per section 223 of the B.N.S.S.

(Pronounced in open court)

Date: 17-07-2026

Sd/-
(Smt. Sheetal P. Koul)
Judicial Magistrate First Class
Mudkhed, Dist. Nanded.

CERTIFICATE

I affirm that the contents of this P.D.F File judgment are same word to word, as per the original judgmentsent.

Name of the stenographer	:	S.D.Pawar
Court Name	:	J.M.F.C. Mudkhed
Date	:	17-07-2026
Judgment signed by the		
Presiding Officer on	:	17-07-2026
Judgment Uploaded on	:	17-07-2026