

MHPU090065522024



Cri.M.A. No.1007/2024

Ajit Vishnu Chalake
Vs.
Smt. Vijaya V. Chalake & ors.

Order below Exh.1 in Cri.M.A. No. 1007 of 2024

Heard Ld. Advocate on behalf of complainant. He insists that complaint may be forwarded to police station Chikhali for investigation under section 175(3) of the B.N.S.S.. The complainant has alleged commission of offences p/u/sec 318(4), 351, 352 of B.N.S. However, for issuance of directions under section 175(3) of the B.N.S.S., compliance under section 173(4) i.e. complainant had lodged complaint in Chikhali police station who took no action then sending of information in writing through post to the Superintendent of Police is mandatory. As per contention of complainant, he has filed complaint in Chikhali Police station and also at the same time he has filed complaint to the Superintendent of Police. But he has not mentioned that whether officer in charge of police station refused to record police complaint and upon aggrieved by refusal he sending information to the Superintendent of Police. On perusal of record it appears that such compliance does not seem to have been made. Similarly, alleged offences are based mainly on documents. Hence, I see no propriety in sending complaint to police station for investigation as it can be very well inquired into by the Court itself. Accordingly, the oral prayer of sending the complaint and issuing directions under section 175(3) of the B.N.S.S. is hereby rejected and the complaint is now fixed for recording verification of the complainant. Complainant to take note and proceed.

Date:- 24/01/2025

(T.S.Mahadik)
Judicial Magistrate F.C.,
Pimpri, Pune

I affirm that the contents of the P. D. F. file order are same,
word to word as per original Order.

Court Name :	Smt. Tejaswini Sandeep Mahadik Judicial Magistrate First Class, Pimpri, Pune
Name of Stenographer :	Mrs. N.K.Vaidya
Date of Decision:	24/01/2025
Order signed by Presiding Officer on :	24/01/2025
Order uploaded on :	24/01/2025