

MHRG030006142022



(The State at the Instance of Forest Officer Shri. R.M. Mane V/s Maruti Ramji Patil)

CNR No. MHRG030006142022

ORDER BELOW EXH.01 IN S.C.C. NO. 483/2022

Perused complaint. The complaint is presented by the complainant, a government officer, in his official capacity. Therefore, there is no need to examine complainant vide section 200(a) of the Code of Criminal Procedure. After perusal of complaint and documents filed along with it, I *prima facie* found that the accused has committed offences under sections 35(1)(i) and 26(1-a,d) punishable under section 26 of the Indian Forest Act, 1927. Hence, process can be issued against him for the said offences. However, no offence is made out as per section 2 of the Conservation of the Forest Act. Therefore, the complaint can be dismissed for the said section. Hence, I pass the following order.

:: ORDER ::

01. Issue process to the accused for the offences committed under sections 35(1)(i), and 26(1-a,d) punishable under section 26 of the Indian Forest Act, 1927 vide section 204(1)(b) of the Code of Criminal Procedure. Returnable on **15/11/2022**.

02. Complaint for section 2 of the Conservation of Forest Act is dismissed vide section 203 of the Code of Criminal Procedure.

Alibag.
Date : **17/10/2022**

(**S.W. Ugale**)
Chief Judicial Magistrate,
Raigad Alibag.