



Criminal M. A. No.814/2024

Dr. Jayant Bokefode Vs.
Unknown Police Officer

Order below Exh.1
(dated 12.11.2025)

1 This is a complaint under Sec.175(3) r.w. Sec. 223 of BNSS. The complainant Dr. Jayant Bokephode and Dipak Bokephode both have made allegations against the unknown police officers of Pandharpur City Police Station, Sachin Javalkote and the State of Maharashtra and requested preliminary inquiry and registration of FIR against the concern.

2 My learned predecessor has passed order on 29.11.2024 below Exh.1 for recoding verification of complaint. Thereafter, verification statement of complainant was recorded by this Court below Exh.8. Thereafter, matter was kept for argument.

3 Heard complainant/victim No.1 Jayant Bokephode in person. I have also gone through the written argument filed by victim/complainant at Exh.9 and additional written argument at Exh.10. The victim also filed on record copy of order passed in Criminal Misc. Application No.815/2024 by Special Atrocity Court and copy of judgment of Hon'ble Supreme Court in the case of **Om Prakash Ambadkar Vs. State of Maharashtra, in Criminal Appeal No.352/2020** and copy of Madras High Court in the case of **Muniraj Vs. State in Writ Petition (Cri.)No.133/2025**.

4 I have gone through the record as well as document produced by the complainant/victim. In this case, verification of complaint is already recorded. Prior to taking cognizance of offence against the accused, it is mandatory on the part of Court to give opportunity of being heard to the accused vide Sec.223(1) of BNSS, 2023. Hence, it is just and proper to issue notice to the accused No.2 before pre-trial cognizance stage.,

5 In present case, the complainant/victim has shown unknown police officer as accused No.1 and State of Maharashtra has shown as accused No.3. The name of accused No.1 and 3 are not mentioned in complaint. Therefore, the notice before Pre-Trial cognizance stage cannot be issued against the accused No.1 and 3. However, name of accused No.2 is mentioned in complaint. Therefore, notice can be issued against accused No.2 as per Sec.223(1) of BNSS. Hence, notice be issued before Pre-trial cognizance stage to accused No.2 as per Sec.223(1) of BNSS. Hence, following order.

Order

- 1 Issue notice before pre trial cognizance stage to the accused No.2 as per Sec.223(1) of BNSS returnable on 12.12.2025
- 2 Order accordingly.

Date : 12.11.2025

(A. S. Salgar)
Special Judge (Atrocity), Pandharpur

CERTIFICATE

I affirm that the contents of this PDF file Judgment/Order are same word to word as per the original Judgment/Order.

- a) Name of the Stenographer : S. A. B. Shaikh, Steno Grade - I
- b) Court : Special Judge(Atro), Pandharpur
- c) Date of Order : 12.11.2025
- d) Order signed by the Presiding Officer on : 12.11.2025
- e) Order uploaded on : 13.11.2025