

MHSO140026442024



Cri.M.A. No.450/2024

Akash Dalavi & ors.

Vs.

Rajendra Raut.

**ORDER BELOW EXHIBIT-1**

Today, the complainant No.5 is present. He argued in person. He submitted that the complainants have filed the complaint u/s. 223 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred as 'BNSS' for brevity) for the offence punishable under section 125A of the Representation of The People Act, 1950. My Ld. Predecessor has recorded the statement of the complainant namely Dinanath Manik Katkar as per section 223 of BNSS. The complainant No.5 submitted that before taking cognizance against the accused, it is necessary to issue notice to the accused as per the mandate provided under section 223 of BNSS. I have considered his submission. This is the complaint case and as per section more particularly the proviso clause to section 223 of BNSS, it is mandatory to hear the accused while taking cognizance of an offence. Hence, in view of the proviso clause to section 223 of BNSS, issue notice against the accused as per section 223 of BNSS, 2023 R/o. 14/02/2025.

Barshi.

Date : 01/02/2025.

( S.B. Vijaykar )

**Judicial Magistrate First Class,  
Court No.1, Barshi.**

## C E R T I F I C A T E

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

(a)	Name of the Stenographer	:	Shri.S.R. Barangule
(b)	Court	:	Shri.S.B. Vijaykar, Jt.C.J.J.D.&J.M.F.C. Barshi.
(c)	Judgment /Order declared on	:	01/02/2025
(d)	Judgment /Order signed by P.O. on	:	01/02/2025
(e)	Judgment /Order uploaded on	:	01/02/2025