

ORDER BELOW EXH. 5 IN Cri. Revision Appln.

NO. 66/2023

(CNR.NO.MHST01-001788-2023)

(Suresh Salunkhe Vs. Tejaswini Agarwal)

Perused revision application and heard Ld. Advocate Shri R.A.Mulani for revisionist. Perused documents filed on record.

2] In private complaint before Ld. J.M.F.C. Medha, the complainant alleged that opponent has cheated her by providing forged and false 7/12 extract and account extract. It has further alleged that opponent has sold complaint's land one Mulani and Choudhari. Ld. Trial Court their upon proceeded as per Section 200 of the Code of Criminal Procedure (in short Cr.P.C.) and verified the complainant, wherein she reiterated her complaint in brief. Thereafter, Ld. Trial Court passed an order below Exh.1 in very briefly. It has mentioned therein that documents filed and statement of complainant is sufficient enough to issue process under Sections 463, 464, 466, 468, 471, 472, 420 and 405 of the Indian Penal Code (in short IPC) vide section 204 of the Cr.P.C.

3] Basically alleged offence have been committed are documentary in nature. Thorough inquiry was supposed to be conducted. But, it has not done. Apart from that nothing has

mentioned as to how sections applied are attracted. In fact nothing appears from impugned order about applying of mind. In such circumstances it would be just the impugned issue process order. Hence, the order:

ORDER

Process issued order against Suresh Wamanrao Salunkhe for the offence punishable under sections 463, 464, 466, 468, 471, 472, 420 and 405 of the IPC vide Section 204 of Cr.P.C. in Criminal M.A. No. 26 of 2023 dated 28.07.2023 passed by J.M.F.C., Medha is here by stayed till further order.

Date : 19/08/2023

(D.L.Nikam)
Addl. Sessions Judge
Satara