



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
CRIMINAL APPLICATION NO. 1293 OF 2017

**Tansukhlal Pannalal Jain** ..Applicant  
Vs.  
**The State of Maharashtra & Anr** ..Respondents

**Mr. A. V. Chatuphale for the Applicant**  
**Mr. R. M. Pethe APP for the Respondent No.1 State**

**CORAM :R. M. SAVANT, &  
SARANG V KOTWAL, JJ**  
**DATE : 14<sup>th</sup> MARCH, 2018**

**P.C.**

1 Heard the Learned Counsel Mr. Chatuphale appearing for the Applicant.

2 Issue notice to the Respondent No.2, returnable on 11-4-2018. In addition to service of notice through Court, the advocate for the Applicant shall serve a private notice by Registered Post A.D. and/or by Courier service and/or by hand delivery on the Respondents and shall file affidavit of service before the returnable date.

3 Prima facie the procedure followed by the Learned Magistrate does not appear to be in consonance with the provisions of the CrPC having regard to the fact that the Magistrate has recorded verification and evidence under Section 200 and thereafter has directed submission of the report under



Section 202 and thereafter passed an order under Section 156(3). Hence there would be ad-interim reliefs in terms of prayer clause (b).

[SARANG V. KOTWAL, J]

[R.M.SAVANT, J]