



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH, NAGPUR.**

**CRIMINAL WRIT PETITION NO.266 OF 2023**

Mitthul Jayantilal Patel Vs. Commissioner of Police, Nagpur and Anr.

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Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's Orders.

Court's or Judge's orders.

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Shri M.B. Limaye, Advocate for petitioner.  
Shri Jaywant Ghurde, APP for respondents/State.

**CORAM : VINAY JOSHI &M.W. CHANDWANI JJ.**  
**DATE : OCTOBER 31, 2023.**

Heard.

2. Learned APP would submit that already police have investigated the matter and filed "A" Summary to the Court of concerned Magistrate. It is also informed that the complainant had appeared and gave his no objection to grant "A" Summary, therefore, it was accepted by the Magistrate vide order dated 07.06.2023.

3. On the other hand, learned counsel for the petitioner has submitted that the petitioner has not given no objection to grant "A" Summary but has submitted to the Magistrate that the writ petition is pending therefore at the moment he cannot give the details.

4. The allegations leveled in the complaint are quite serious, therefore, we hereby set aside the order of Magistrate in dated 07.06.2023 accepting "A" Summary. The

petitioner shall file protest petition before the Magistrate within three weeks from today. On which, the Magistrate shall hear both sides and pass appropriate orders, in accordance with law.

5. This petition stands disposed of with liberty to the petitioner to approach this Court as and when occasion arises.

(M.W. CHANDWANI, J.)

(VINAY JOSHI, J.)

*Wagh*