

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

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

Court's or Judge's orders

CRIMINAL APPLICATION NO. 298 OF 2015

BHARAT S/O DAGDU PAWAR & ANR
VERSUS
STATE OF MAHARASHTRA & ANR

...
Advocate for Applicant : Mr.Shinde Chandrakant K.
APP for Respondents/State: Mr.K.J. Ghute Patil.

...
CORAM : S.S. SHINDE & A.M. BADAR, JJ.
Dated: JANUARY 28, 2015

...

Heard.

2 Learned Counsel for the applicants submits that at the relevant time, both the applicants were in the cantonment office and to that effect, there is CCTV footage. In that respect, already grievance is made to the Dy. Superintendent of Police, Ahmednagar. He further submits that the Investigating Officer is unnecessarily harassing the applicants and liberty of the applicants is curtailed.

3 We have heard the learned Counsel for the

applicants, perused the allegations in the FIR. There are specific allegations made against the applicants. An offence is disclosed and needs investigation. The contention of the Counsel for the applicants that they were not present at the time of incident is the matter under investigation. The defence of alibi can be considered during trial and the applicants have to discharge the burden in support of defence.

4 At this stage, no case is made out for quashing the FIR. The applicants will be at liberty to avail appropriate remedy as available in law, in the event of filing charge-sheet by the Investigating Officer. Application stands dismissed.

(A.M. BADAR, J)

(S.S. SHINDE, J)

kadam/