

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY  
BENCH AT AURANGBAD**

**CRIMINAL APPLICATION NO. 2119 OF 2015**

SHAIKH YUSUF S/O SHAIKH CHAND & ORS  
VERSUS  
THE STATE OF MAHARASHTRA & ANR

...  
Advocate for Applicants : Mr. Zaidi Ali Zeeshan M.  
APP for Respondent/State : Mr. B.L. Dhas  
Advocate for Respondent no.2 : Mr. Gaware Niteen V.

...  
**CORAM : S.S. SHINDE & A.M. BADAR, JJ.**

**Dated: August 20, 2015**

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**PER COURT :-**

Heard.

2. Perused the allegations in the First Information Report and also the statements of the witnesses recorded by the Investigating Officer. The allegations in the First Information Report discloses offences, which are investigated by the Investigating Officer. The allegations in the First Information Report get support from the statement of the witnesses. The Prosecution Agency has collected enough material so as to proceed in the trial. Reliance placed by the learned counsel appearing for the applicants in the case of **R.P. Kapur V/s State of Punjab** reported in **AIR 1960 SC 866 (1)** is wholly misplaced in the facts of present case, in as much as, there is sufficient material collected by the Prosecution Agency in the present case, so as to try the applicants.

3. In this view of the matter, no case is made out. The application sans merits and hence rejected.

( **A.M. BADAR, J. )**

( **S.S. SHINDE, J. )**

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