

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

CRIMINAL APPLICATION NO.4769 OF 2015

Swaraj @ Raj Shrikant Thackeray

..Applicant

Versus

The State of Maharashtra

..Respondent

Mr. A.S.Shirodkar a/w Arun S. Shejwal, Advocates for the applicant

Mr.S.B.Yawalkar, APP for the respondent/ State

WITH

CRIMINAL APPLICATION NO.4771 OF 2015

Swaraj @ Raj Shrikant Thackeray

..Applicant

Versus

The State of Maharashtra

..Respondent

Mr. S.D. Nangre a/w Arun S. Shejwal, Advocates for the applicant

Mr.S.B.Yawalkar, APP for the respondent/ State

**CORAM : A.V.NIRGUDE &
V.K.JADHAV, JJ.**

DATED : 30.10.2015

P.C. :-

1. Both these applications can be disposed of by following common order.

2. The applicant in both these applications is Political Leader who is popularly known as Raj Thackeray. Both these applications seek quashment of Criminal case initiated through two different crimes registered at Majalgaon Police Station, Dist. Beed. The allegations made in the F.I.R. in both the cases are more or less similar. It is alleged that the members of the applicants political party committed offence of rioting and causing mischief to public property etc. It is alleged in the F.I.R. that number of followers of the applicant gathered at the relevant time on public road and pelted stones on the S.T. buses and damaged wind sheet etc of the buses. Offence was registered against number of persons who were allegedly present at the time of incident and who had taken active part in the offence of rioting etc. But though the applicant admittedly was not present at the site at the time of incident, his name is also included as one of the accused. There is no allegations that it is the case of criminal conspiracy or abetment etc. On the face of it, including the applicant's name in the applications was erroneous. At the time, when the charge sheet was filed before the Court, it was necessary for the learned Magistrate not to take cognizance of the case against applicant. But this did not happen and that is why the applicant is constrained to appear before this

Court. We are inclined to help him for the reasons mentioned above. The applications are allowed. The Criminal cases bearing SSC No.425 of 2009 and SCC No.7 of 2009 arising out of CR No.246 of 2008 and CR. No.247 of 2008 respectively registered at Majalgaon Police Station, Dist. Beed, are quashed as against the applicant.

3. The criminal applications are accordingly allowed and disposed of.

[V.K.JADHAV, J.]

[A.V. NIRGUDE, J.]