

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

rpa

CRIMINAL WRIT PETITION NO.1528 OF 2015

Mohsin Azad Syed

.. Petitioner

Vs.

The State of Maharashtra

.. Respondent

....
Mr.S.G. Kudle, Advocate for the Petitioner.

Mrs.P.H. Kantharia, APP for the Respondent - State.

....
**CORAM : RANJIT MORE &
A.P. BHANGALE, JJ.**

DATED : MAY 8, 2015.

P.C. :

Heard Mr.Kudle, the learned counsel for the
Petitioner and Mrs.Kantharia, the learned APP for the
Respondent - State of Maharashtra.

2 The petition is filed under Article 226 of the
Constitution of India read with provisions of Section 482 of the
Code of Criminal Procedure, 1972 for quashing the proceedings
of the FIR No.62 of 2015 registered at Oshiwara Police Station.

3 We have perused the FIR. Perusal of the same does,
prima facie, disclose commission of cognizable offence under
Section 376 of the Indian Penal Code. We are, therefore, not
inclined to interfere.

4 Mr.Kudle, the learned counsel for the petitioner makes a grievance that though the alleged incident is of 6th February, 2015, the FIR is registered on 18th February, 2015 and still the investigation is not complete. In our view mere delay in filing the FIR is no ground to quash the proceedings. The learned APP Ms.Kantharia, on instructions, makes a statement that investigation into this FIR will be completed expeditiously and charge-sheet will be filed within four weeks from today. The statement is accepted.

5 In the above circumstances, we find that there is no merit in the petition. The petition is accordingly dismissed.

(A.P. BHANGALE, J.)

(RANJIT MORE, J.)