

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

**CRIMINAL APPLICATION NO.367 OF 2015**

|                             |                |
|-----------------------------|----------------|
| Rambadan Ramadhar Singh     | ..Applicant.   |
| <u>Versus</u>               |                |
| State of Maharashtra & Anr. | ..Respondents. |

Mr. S.V.Marwadi, i/by Mr. Kartik S. Garg, advocates for applicant.  
Mrs. S.V.Sonawane, APP for the State.

Coram : RANJIT MORE &  
V. L. ACHLIYA, JJ.  
Date : **24<sup>th</sup> AUGUST, 2015.**

P. C. :

This application is filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing the proceedings being CC No.372/PW/2015 pending before the Metropolitan Magistrate, 22<sup>nd</sup> Court, Andheri, Mumbai. Having gone through the charge-sheet, we find that no case for intervention in exercise of jurisdiction conferred under Section 482 of the Code of Criminal Procedure, 1973 is made out.

2           Mr. Marwadi the learned counsel for the applicant submits that pertaining to the same incident, another criminal case is pending before the Additional Chief Metropolitan Magistrate, 47<sup>th</sup>

Court, Esplanade, Mumbai. He submits that both the cases are in the nature of cross complaints. He requests that both the cases be tried and disposed of by the same Metropolitan Magistrate.

3           We are of the view that the applicant in this regard can approach learned Chief Metropolitan Magistrate under Section 410 of the Code of Criminal Procedure, 1973. In the event, such an application is preferred by the applicant, the learned Chief Metropolitan Magistrate shall dispose of the said application independently, on its own merits and expeditiously.

4           Subject to above, application is dismissed.

**[V. L. ACHLIYA, J.]**

**[RANJIT MORE, J.]**