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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CRIMINAL APPELLATE JURISDICTION
CRIMINAL REVISION APPLICATION NO. 238 OF 2015**

Smt. Sadhana Deepak Sawant ... Applicant

Versus

The State of Maharashtra and another ... Respondents

Mr. L.N. Kharde i/by Kirtimala Kamble for the applicant.

Ms. G.P.Mulekar, A.P.P. for the State.

**CORAM : M.L. TAHALIYANI, J.
DATED : JULY 10, 2015**

P.C.

Admit. Heard finally.

2. Heard learned counsel for the petitioner and learned A.P.P. for the State.

3. The applicant is facing trial for the offence punishable under section 7 of the Prevention of Corruption Act. The prosecution has been launched against the applicant after her retirement. The applicant was working as clerk in office of R.T.O. It is alleged that she had demanded Rs.50/- from the complainant. The verification was done. After completion of investigation, papers were placed before the competent authority for grant of sanction to prosecute the applicant. The competent authority refused to grant sanction.

4. The incident had occurred in the year 2008 and the competent authority had refused to grant sanction in the year 2013. The applicant had retired after few months of refusal of the sanction.

5. The Investigating Officer has filed chargesheet after retirement of the applicant as the sanction is not required. This appears to be an attempt to shift the workload from police to court. In fact, the prosecution was not required to be launched in view of the facts of the case and refusal of sanction on the part of the competent authority.

6. In my opinion, it is abuse of process of law and therefore, prosecution needs to be quashed. The prosecution pending against the applicant in Special Court being Special Case No. 79 of 2014 is hereby quashed. The bail bonds, if any of the applicant shall stand cancelled.

Criminal Revision Application stands disposed of.

(JUDGE)