

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APL) NO.90 OF 2014
(Pravin s/o Nana Ingle vs. State of Maharashtra and others)

Office Notes, Office Memoranda of
Coram, appearances, Court's orders Court's or Judge's orders
or directions and Registrar's orders.

Shri R.J. Shinde, Advocate for applicant.

Shri S.M. Uke, Additional Public Prosecutor for
respondent nos.1 and 2.

CORAM : A.B. CHAUDHARI AND
 P.N. DESHMUKH, JJ.

DATED : APRIL 23, 2015

Following is prayer clause (i) in the
present criminal application :

“(i) quash and set aside the First Information Report vide Crime No.M-1/2014 dated 23.01.2014 registered at Police Station, Khallar, Taluq Daryapur, District Amravati for the offence punishable under Sections 409, 403, 34 of Indian Penal Code (Annexure-A) in pursuance of the order dated 22.01.2014 passed by learned J.M.F.C., Court No.2, Daryapur in Misc. Cri. Case No.30/2014 (Annexure-B) of Indian Penal Code against the applicant.”

We have heard learned Counsel for rival
parties including respondent no.3, who was present

in person on the last date. Today, he is absent.

We have perused entire record so also photographs placed on record by applicant in relation to construction, which is said to have been made by spending amount of Rs.10 lakhs. Prima facie we are satisfied that investigation is necessary for finding out the truth. It is not possible for us to evaluate the evidence shown in the first information report at this stage. We think that Investigating Agency should be allowed to go ahead with investigation and file final report before competent Court. That being so, we make the following order :

Order

Criminal Application No.90/2014 is not entertained. The Investigating Agency to complete the investigation within three months and file final report before competent Court.

Liberty is reserved in favour of applicant to take such other steps as are available in law after filing of charge-sheet before competent Court.

JUDGE

JUDGE

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