

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (APL) NO.217/2015

(Raj @ Tuneshwar s/o Dhruplal Kanhare ..vs.. State of Maharashtra, through Police Station Officer, Police Station, Sitabuldi and anr.)

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

Court's or Judge's orders.

Mr. A. S. Moon, Advocate for applicant.
Mr. S. B. Ahirkar, A.P.P. for non applicant-State.

CORAM : A.B. CHAUDHARI & P.N. DESHMUKH,JJ.
DATE : APRIL 9, 2015.

Heard learned counsel for the applicant.
Following is the prayer in prayer clause (i) of the
application:

*“Quash and set aside the F.I.R. No.
6002/2015 dated 12.02.2015 registered at
Police Station, Sitabuldi, Nagpur for offence
punishable under Section 68 of the Bombay
Prohibition Act (Annexure-A) in respect of
present applicant.”*

On perusal of the above FIR, we find that
the allegations in the FIR cannot be held to be
incorrect in the absence of complete investigation.
The allegations are that the applicant, who is
manager of a wine shop, was openly serving liquor

and water glasses to the customers on road. We think, unless the investigation is complete, the prayer made above cannot be accepted.

That being so, we make following order.

ORDER

(i) Criminal Application (APL) No.217/2015 is disposed of with liberty to the applicant to take such other steps as are available in law.

JUDGE

JUDGE