

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

Criminal Application [APPP] No.382 of 2015 in
Criminal Application [APL] No.596 of 2013

(Nitin Naresh Rajabhoj

vs.

State of Maharashtra, through P.S.O. Mohadi, District Bhandara and others)

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

Court's or Judge's Orders

Mr. K.B. Zinjarde, Advocate for the Applicant.
 Mr. S.S. Doifode, A.P.P. for the Non-Applicants.

CORAM : B.P. DHARMADHIKARI AND
P.N. DESHMUKH, JJ.

DATE : JULY 2, 2015.

Heard Mr. Zinjarde, learned Counsel for the
 applicant and Mr. Doifode, learned A.P.P. for the non-applicants.

Prayer for quashing of F.I.R. is admitted by this
 Court for final hearing.

Trucks No. MH-36-F-1001 and MH-36-F-1801 are in
 custody of applicant and he is plying it on public road.

The dispute about documents found in trucks
 allegedly by non-applicants and produced by applicant before
 this Court is already resolved and accordingly non-applicant no.3
 i.e. Deputy Regional Transport Officer, Bhandara has after due
 verification of the same filed an affidavit before this Court on
 24/09/2014.

The applicant is facing difficulties in plying both the trucks without original documents. He has to pay taxes as also renew permits.

In this situation, after hearing respective counsel for parties, we find that originals, as mentioned supra by Deputy Regional Transport Officer, Bhandara in his affidavit in paragraphs 3 and 4 can be returned to applicant. Those original documents mentioned at (i), (ii), (iii), (v) and (vi) of paragraph 3 of that affidavit and (i), (ii) and (v) in paragraph 4 thereof shall be returned by registry of this Court to applicant after obtaining an undertaking that applicant shall re-tender the same as and when directed by this Court.

Criminal application is accordingly allowed and disposed of.

JUDGE

JUDGE

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