

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

CRIMINAL APPLICATION (APL) NO.767 OF 2014
(Manish s/o Narayan Gogulwar vs. State of Maharashtra and another)

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

Shri S.Z. Sonbhadre, Advocate for applicant.

Shri T.A. Mirza, Additional Public Prosecutor for
respondent no.1.

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

DATED : APRIL 16, 2015

Heard learned Counsel for the rival
parties.

Following is the prayer clause in the
present criminal application :

“i) call the papers of F.I.R. No. 106/2014 (Annexure 1) registered against the applicant by the Police Station Officer, Police Station, Akot, Tahsil Akot, District Akola for the alleged offences punishable under Section 420, 34 of I.P.C., Sections 3, 7 of the Essential Commodities Act : the Seeds Act, 1966, The Seeds Rules, 1968 and the Seeds Control Order, 1983 on the basis of report submitted by respondent no.2,
and on perusal thereof and after hearing parties

concerned, be further pleased to -

ii) quash and set aside the F.I.R. No. 106/2014 (Annexure-1) registered against the applicant by the Police Station Officer, Police Station, Akot, Tahsil Akot, District Akola, for the alleged offences punishable under Section 420, 34 of I.P.C.; Sections 3, 7 of the Essential Commodities Act; the Seeds Act, 1966, The Seeds Rule, 1968 and the Seeds Control Order, 1983, on the basis of report submitted by respondent no.2.”

Upon perusal of the documents filed along with criminal application and upon hearing learned Counsel for the rival parties, we find that it is not possible for this Court to exercise jurisdiction under Section 482 of Code of Criminal Procedure to evaluate or make assessment of investigation so far made and hence, we make the following order :

Order

Criminal Application No.767/2014 is disposed of reserving liberty in favour of applicant to take such alternate steps as are available in law including filing application for discharge.

JUDGE

JUDGE

khj