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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.747/2016

Dr.Vandana w/o Bibhishan Garje.
...Applicant..

Versus

The State of Maharashtra & another.
...Respondent...

.....

Shri A.N. Nagargoje, Advocate for applicant.
Shri D.R. Kale, APP for respondent nos.1 & 2.

.....

**CORAM: R.M. BORDE &
P.R. BORA, JJ.**

DATE: 26.04.2016

ORDER :

1] The applicant is praying for quashment of the criminal proceedings initiated in pursuance to lodging of the First Information Report on 28.10.2015 in Crime No.299/2015. It is alleged in the First Information Report that the firm operated by the applicant was allotted the project under the Central scheme. It is alleged that the funds disbursed under the scheme have not been applied for the purpose for which those were

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expected to be spent and as such there is mis-appropriation of the public funds.

2] On perusal of the First Information Report, it appears that prima facie an offence of cognizable nature is made out. On consideration of the First Information Report, without going into the merits and de-merits of the contentions raised by the applicant, since an offence is prima facie made out, the Police needs to investigate into the same and find out the truth.

3] At this stage of the proceedings, since the contents of the First Information Report do disclose commission of an offence, the criminal proceedings initiated need not be quashed. The writ petition is devoid of substance and hence the same stands rejected.

(P.R. BORA, J.)

(R.M. BORDE, J.)