

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

CRIMINAL APPLICATION NO. 1183 O F 2016

Mohammad Shahid Rasid Khan .. Applicant
vs
The State of Maharashtra, through
Inspector, Police Station, Azadnagar,
Dist. Dhule .. Respondent

Mr. Bharat R. Waramaa, Advocate for applicant
Mr. S. N. Kendre, Additional Public Prosecutor for respondent

CORAM : SUNIL P. DESHMUKH, J.
16TH MARCH, 2016

ORDER:

1. Applicant seeks quashing of the proceedings as far as he is concerned, in Sessions Case No.67 of 2015, a request which was refused by learned Assistant Sessions Judge (Adhoc-2), Dhule while rejecting application at Exhibit-25 in said sessions case under order dated 01-10-2015
2. Heard learned counsel appearing on behalf of the applicant and learned Additional Public Prosecutor appearing for the respondent.
3. Learned counsel for the applicant submits that applicant's name does not figure in the first information report as had been originally lodged on 17-01-2015 and subsequently the same has been improved upon by additional report on 02-02-2015 wherein it

has been alleged that the applicant was one of the persons who had been keeping eye over the activities with a view to commit theft of cash in the bank and this information had been lodged merely on suspicion. He further submits that during the course of investigation, the amount had not been recovered from the applicant, however, some amount found in his father's house was the basis on which he is being prosecuted. Learned counsel submits, it is merely a suspicion and such a slender thread, and the report is not sufficient to arraign the applicant in the present matter. He, therefore, urges to quash the proceedings so far as applicant is concerned.

4. Learned counsel further refers to the impugned order passed by Assistant Sessions Judge, on Exhibit-25 in sessions case No. 67 of 2015 referred to above.

5. Learned Judge appears to have taken stock of the situation and the position as has been depicted in paragraphs no. 10 and 11 of the order. Therefore, having regard to the nature of allegations and imputations against present applicant, this is not a case wherein extra-ordinary powers of this court are required to be invoked.

6. Application as such fails and stands rejected.

SUNIL P. DESHMUKH,
JUDGE

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