

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

**CRIMINIAL APPLICATION NO. 2958 OF 2016
WITH
CRIMINAL WRIT PETITION NO. 875 OF 2016**

Kakasaheb s/o. Damodhar Kakde .. Applicant/
Petitioner

Versus

The State of Maharashtra & Anr. .. Respondents

Mr. C.V. Thombre, Advocate for the applicant/petitioner.
Mrs.P.V. Diggikar, A.P.P. for respondent/State.
Mr. D.P. Palodkar, Advocate for R-2 in Cri. Appln.

**CORAM : A.V.NIRGUDE &
V.L.ACHLIYA, JJ.**

DATED : 12.07.2016

P.C. :-

1. The applicant is seeking quashing of F.I.R. dated 03.06.2016 registered at M.I.D.C. Police Station, Aurangabad, bearing No.190 of 2016 for the offence punishable under section 353, 506 read with section 34 of the Indian Penal Code. The allegations made in the complaint apparently and prima facie disclosed an offence alleged against the applicant and others. We are, therefore, not inclined to quash the F.I.R.

2. Insofar as Criminal Writ Petition is concerned, we are disposing the same without issuing notice to the respondent/State. The complainant has filed complaint on 17.06.2016 to the Police Commissioner, Aurangabad alleging therein that he was falsely implicated in Crime No.190 of 2016 of M.I.D.C. Police Station, Aurangabad. He also stated that his political rival has already caused injury to him. We are not inclined to issue any direction to the Police Commissioner because the complaint of the petitioner dated 17.06.2016 is recent one and we are certain that the Police Commissioner would take appropriate action pursuant to the same.

3. In view of above, the Criminal Application and Criminal Writ Petition stand disposed of.

[V.L.ACHLIYA, J.]

[A.V.NIRGUDE, J.]