

FARAD CONTINUATION SHEET NO.

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

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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CRIMINAL APPLICATION NO. 4667 OF 2016

SANJAY S/O JAGANNATH SAWANT AND ORS.

VERSUS

THE STATE OF MAHARASHTRA AND ANR.

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Advocate for applicants: Mr.P.P.Sapkale
holding for Mr. Patil Prakashsing B.
APP for respondent/State : Mr. D.R. Kale
Advocate for respondent No.2:Mr.M.D.Gitte

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CORAM: S.S.SHINDE & SANGITRAO S. PATIL, JJ.

Dated: October 18, 2016

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Heard the learned counsel appearing
for the applicants and learned counsel
appearing for respondent no.2.

2. The learned counsel appearing for
applicants and respondent no.2 submit
that applicant nos. 1 to 3 and respondent
no.2 have settled the dispute. In the
light of the said settlement, the F.I.R.
may be quashed.

3. The learned A.P.P. submits that out of the seven accused, there are only four applicants in the present application and even one of the applicants has not signed the settlement. Therefore, the investigation as against the other accused will have to be continued. It is further submitted that another F.I.R. bearing Crime No.I-87/2016 is registered with Ahmednagar Police Station against the applicants and the investigation of the same is pending.

4. We have considered the submissions of the learned counsel appearing for the applicants and the documents placed on record. The allegations in the F.I.R. disclose the ingredients of the offences as alleged against the applicants. Prima facie, the applicants are indulged into the alleged act of cheating the public at large as will be evident from the another crime registered against them in Ahmednagar Police Station.

5. In that view of the matter, we are not inclined to entertain the prayer of the applicants to quash the F.I.R. on the basis of the settlement. The F.I.R. needs further investigation. Hence the

application stands rejected.

6. The observations made hereinabove are prima facie in nature and the learned trial Court shall not get influenced with the said observations in case the applicants are subjected to trial.

(SANGITRAO S.PATIL, J) (S.S. SHINDE, J)