

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO.1279 OF 2016

Baban @ Dinkar Sitaram Parkhe,
Age-40 years, Occu:Agri./Labour work,
R/o-Chombhut,
Tq-Parner, Dist-Ahmednagar

...PETITIONER

VERSUS

1) The State of Maharashtra,
Through Police Station Officer,
Parner Police Station,
Tq-parner, Dist-Ahmednagar,

2) Shivaji s/o Chimaji Parkhe,
Age-55 years, Occu:Agri.,
R/o-Chombhut,
Tq-Parner, Dist-Ahmednagar.

...RESPONDENTS

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Mr.Rajendra S. Kasar Advocate for Petitioner.
Mr.M.M. Nerlikar, A.P.P. for Resp. No.1.

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**CORAM: S.S. SHINDE AND
V.K. JADHAV, JJ.**

DATE : 30TH SEPTEMBER, 2016

ORDER :

1. Heard the learned counsel for the

Petitioner and learned A.P.P. for State. We have carefully perused the contents of the F.I.R. Offence is disclosed, needs investigation.

2. So far as the delay is concerned, it will depend upon the explanation offered at the appropriate time by the informant.

3. So far as the defence of the Petitioner that at the relevant time he was not present at the spot of incident and he was serving at Saw Mill, the same cannot be considered at the time of quashing the F.I.R.

4. No case is made out for quashing the F.I.R. The Writ Petition stands rejected.

[V.K. JADHAV, J.]

asb/SEP16

[S.S. SHINDE, J.]