

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

CRIMINAL WRIT PETITION NO. 1532 OF 2016

Swapnil Vithalrao Lalpate & anr.

...PETITIONERS

versus

The State of Maharashtra & anr.

...RESPONDENTS

.....
Mr. K. H. Holambe h/f Mr. R. T. Nagargoje, Advocate for petitioners
Mr. P. G. Borade, APP for Respondent State
.....

**CORAM : S.S. SHINDE AND
K.K. SONAWANE, JJ.**

DATED : 15th DECEMBER, 2016.

Order :-

1. This petition is filed with following prayers -

"(b) That this Hon'ble court be pleased to call for the record and proceedings of C.R. No. 77 of 2013 dated 4th April 2013 under sections 291, 323, 504, 506, 420, 467, 468 read with section 34 of the Indian Penal Code registered with Respondent No. 1 – Gangakhed Police Station District Parbhani at the instance of respondent No. 2- Complainant and after going through the same be pleased to quash and set aside the same."

2. Learned counsel appearing for respondent No. 2 has tendered across the Bar document i.e proceedings bearing "B" Final No. 59 of 2014 arising out of crime No. 77 of 2013 dated 4th April, 2013

registered with Gangakhed Police Station, District Parbhani for the offence punishable under sections 291, 323, 504, 506, 420, 467 and 468 read with section 34 of the Indian Penal Code. The same is taken on record and marked as Exhibit "X" for identification purpose.

3. In light of the fact that "B" Final Proceedings is filed before the concerned court, there is no question to entertain the prayer for quashing the first information report, which is culminated in "B" Final Proceedings.

4. In that view of the matter, this criminal writ petition stands disposed of.

5. At this stage, learned counsel appearing for the petitioners makes an oral request, to allow the present petitioners to contest said "B" Final Proceedings and also issue directions to the concerned Court to expedite the hearing of said proceedings.

6. In light of the above, the petitioners can apply before the concerned court, if concerned court is convinced, to entertain the prayer of petitioners. We hope and expect, the concerned Court would dispose of said proceedings, as expeditiously as possible, however, on or before 05-02-2017.

Sd/-

[K. K. SONAWANE, J.]

Sd/-

[S.S. SHINDE, J.]