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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.2630 OF 2003**

Anil @ Shankar Dattatray Joshi & Ors.	... Applicants
Vs.	
State of Maharashtra & Anr.	... Respondents

Mr. Gajendra Kashinath Jadhav for the Applicants.
Ms. M.H. Mhatre, APP for the Respondent- State.

**CORAM : A.S. OKA &
A.A. SAYED, JJ.**

DATE : 18th JULY, 2016

P.C.

1 The learned APP has placed for perusal of the Court a report dated 28th October, 2013 submitted by the Assistant Police Commissioner, Dombivli Region recording that a report claiming 'B' summary has been filed by the Police in the Court of the Judicial Magistrate, First Class, 5th Court, Kalyan on 26th October, 2013. The said report is taken on record and marked 'A-1' for identification.

2 In view of the said report, we need not entertain the application for quashing under Section 482 of the Cr.P.C. Accordingly, we dispose of the application by passing the following order :-

ORDER

- (i) If the learned Magistrate has not yet passed final order on the report claiming 'B' summary, the same shall be passed as expeditiously as possible;
- (ii) In the event the learned Magistrate does not accept the report claiming 'B' summary, it will be open for the Applicants to file a fresh application in this Court for seeking relief of quashing the FIR;
- (iii) Rule is discharged subject to the aforesaid directions.

(A.A. SAYED, J)

(A.S. OKA, J)