

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 481 OF 2016

Badri Narayan Iyer. ..Petitioner.
Versus
State of Maharashtra. ..Respondent.

Mr. P. M. Havnur and Ms. Chitra Salunkhe for the Petitioner.
Ms. S. D. Shinde, learned APP for the State.

Coram : RANJIT MORE &
V. L. ACHLIYA, JJ.
Date : **February 23, 2016.**

P. C. :

1. Heard learned Counsel appearing for the Petitioner and learned APP for the State. By this petition, the Petitioner is seeking to quash an FIR registered against him with Colaba Police Station on 1st January 2016, being CR.No.1 of 2016. The allegations against the Petitioner are for the offences punishable under sections 353, 332 and 504 of the Indian Penal Code, 1860.

2. Learned Counsel appearing for the Petitioner contended that the Petitioner is preparing for IAS examination and the registration of FIR will hamper his career.

3. We have perused copy of the FIR. It discloses that on 1st January 2016, at about 2.00 a.m. the Petitioner along with one lady friend was sitting on the deck of M. Desai Road on east side. The police on duty were clearing the traffic and requesting

the people sitting on the deck to go inside. The police personnel also requested the Petitioner and his companion lady friend to move away from the place. However, this request was not accepted by the Petitioner and he abused the police. It is further alleged in the FIR that the Petitioner caught hold of the collar of one of the police personnel and bullied the police officers. In this regard, it is the contention of the learned Counsel appearing for Petitioner that the Petitioner and lady accompanying him were waiting for Ola-Cab, i.e., Taxi. He denied that the Petitioner abused or assaulted the police officers.

4. We find that in any case the FIR, *prima facie* discloses the commission of cognizable offence. The submission of learned Counsel appearing for the Petitioner that nothing of that sort as is alleged by the police, has happened cannot be accepted at this stage. The veracity of the FIR cannot be adjudged at this stage. The investigation is at preliminary stage. We do not see any reason to entertain the writ petition and the same is, therefore, dismissed.

[V. L. ACHLIYA, J.]

[RANJIT MORE, J.]