

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 482 OF 2016

Bapu @ Ravindra Satalkar & 10 Others. ... Petitioners.

V/s.

The State of Maharashtra & Anr. ... Respondents.

Mr. Chetan Agarwal, Advocate for the Petitioners.

Mrs. S. V. Sonawane, APP for the State.

Mr. H. Salgaokar, Advocate for Respondent No.2.

**CORAM : NARESH H. PATIL AND
A. M. BADAR, JJ.**

DATE : 11th APRIL, 2016.

P.C. :

1 By this petition, the petitioners by consent of the complainant/respondent no.2, seek quashment of a complaint dated 13th November, 2015 filed against them by Respondent No.2. For this, Respondent No.2/Complainant -Mr. Deepak Mahadev Bhaskar has filed affidavit, wherein he has stated in paras 3 and 5 as under :

“3. That thereafter Petitioners and I have amicably resolved and settled the dispute with each other and have no interest in continuing any sort of criminal and or

civil litigation pending against one another in respect of the present complaint.”

“5. I say that the said complaint has been borne only through misunderstanding of parties and there is no ill will, malice or intentional commission of any crime by any party in the present complaint. That by the present affidavit, I hereby give consent to quash proceeding against the Petitioners in C.R.No.134/2015 under Sections 420, 120(B), 504, 506 of Chandwad Police Station.”

2 The subject complaint came to be lodged by Respondent No. 2 on 13th September, 2015, stating that the petitioners/accused persons had started a scheme under the name of “Shree Ganesh Enterprises”. Under the said scheme a person has to pay in all Rs.3500 in 10 installments and in return he would be getting household articles. It is submitted that various persons had deposited the money under the said scheme but did not get the promised household articles.

3 The investigation papers are produced before us by the learned APP. The police have recorded statements of certain persons. They claim to have been cheated by the petitioners/accused persons. Learned APP on instructions of the Investigating Officer submits that the police are yet to recover

amount from the accused collected from various persons and investigate the matter thoroughly.

4 Considering the magnitude of the allegations made against the petitioners/accused, prima facie, we are not inclined to quash and set aside the subject complaint at the behest of respondent No.2.

5 We direct the Superintendent of Police, Rural Nashik, to supervise the investigation in this crime and take necessary steps to complete the investigation at the earliest.

6 Petition is rejected.

7 Registry to forward copy of this order to the concerned Superintendent of Police by any fastest mode available.

(A. M. BADAR, J.)

(NARESH H.PATIL,J.)

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