

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.449 OF 2015

Sharad @ Dev S. Gupta

..... Applicant

V/s

The State of Maharashtra

..... Respondent

Mr. Vinay J. Bhanushali for the Applicant.

Dr. F.R. Shaikh, APP for the Respondent/State.

CORAM : A.S. OKA &

A.A. SAYED, JJ.

DATED : 08 AUGUST 2016

ORDER:

1 The prayer in this Application under section 482 of Code of Criminal Procedure, 1973 (for short "CrPC") is for quashing the proceedings on the basis of charge-sheet filed. The Application for discharge was made by the present Applicant which was rejected by an order dated 25 July 2014. The said order is not challenged by the Applicant till today.

2 Remedy under section 482 of CrPC is a discretionary remedy. The power under section 482 of CrPC is to be exercised sparingly and in rare

cases. If the law of limitation permits, the Applicant can always challenge the order dated 25 July 2014. Subject to what is observed above, we decline to entertain this Application and the same is disposed of. All contentions on merits are kept open.

(A.A. SAYED, J.)

(A.S. OKA, J.)

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