

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 880 OF 2014

Shri Bhau Pandurang Hulawale. .. Applicant.
Vs
The State of Maharashtra . .. Respondent
—
Shri Dayanand C. Awari for the Applicant.
Mrs. M.H. Mhatre, APP for the State.
--

CORAM : A.S. OKA & A.A.SAYED, JJ
DATED : 30TH JUNE 2016

PC.

1. The prayer in this Application under Section 482 of the Code of Criminal Procedure, 1973 (for short “CrPC”) is for quashing the chargesheet on the basis of the First Information Report (FIR) registered with the Pimpri Police Station alleging commission of offences punishable under Sections 467, 471, 420 read with Section 34 of the Indian Penal Code. The learned counsel appearing for the Applicant states that the Application for discharge was made before the concerned Court which is rejected about six months back and the Applicant has not challenged the said order. This is not a case where the Applicant is relying upon any document which is not forming a part of the chargesheet. His contention is that there is no material forming part of the chargesheet on the basis of which the Applicant can be prosecuted.

2. This contention has been dealt with by the concerned Court and the Application for discharge has been rejected.

3. The law is well settled. The remedy under Section 482 of the CrPC is an extra-ordinary remedy and the powers under Section 482 of the CrPC should be exercised very sparingly. Hence, we decline to entertain this Application under Section 482 of the CrPC. However, we make it clear that notwithstanding the rejection of this Application, it will be open for the Applicant to challenge the order passed on the Application for discharge by filing appropriate proceedings in accordance with law.

4. The learned counsel appearing for the Applicant submits that trial may be made time-bound. In the concerned Court, very old cases are pending and, therefore, by making necessary Application before the concerned Court, the Applicant will have to make out a case for expediting the trial.

(A.A. SAYED, J)

(A.S. OKA, J)