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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.3573 OF 2015

Avinash Pandurang Marke

..Petitioner.

V/s.

The State of Maharashtra and Anr.

..Respondents.

Mr.S.M. Bandkar for the petitioner.

Mrs.S.D.Shinde, APP for respondent-State.

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

DATED : 2ND MAY, 2016

P.C. :-

1. Counsel for the petitioner prays for quashing of the F.I.R. bearing No.364/2015 registered with Hadapsar police station, Pune for offences punishable under sections 376, 354(D) of the Indian Penal Code and sections 67 and 67(A) of Information and Technology Act. Counsel submits that no offence is made out. Learned counsel relies on the affidavit of the deceased victim in support of the petition.

2. Learned APP has placed before us a copy of the order passed by the learned Single Judge of this Court in Anticipatory Bail Application No.1964 of 2015 on 4th January,

2016. We have perused the same. We have also perused the record. Learned APP submits that after the rejection of the anticipatory bail application, the petitioner was not available to police and he is absconding. APP submits that investigation is complete and the police wants to file a report. Even if the petitioner is not found by the police, it would not be an impediment to file report. In the facts, we are not inclined to interfere. The petition is dismissed.

(A.M.BADAR, J.)

(NARESH H.PATIL, J.)