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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1282 OF 2015

Mrs.Sharmila Iqbal Lukmani and Ors. ..Applicants.

V/s.

State of Maharashtra and Anr. ..Respondents.

Ms.Mallika Ingale with Mr.Devendra Avhad i/b. Thodur Law Associations for the applicants.

Mr.K.V.Saste, APP for respondent No.1.

Mr.Karan Halai with Mr.Ajit Shinde and Sayli Toney i/b. Singh and Singh Malhotra and Hegde for respondent No.2.

**CORAM : A.S.OKA AND
A.A.SAYED, JJ.**

DATED : 21ST OCTOBER, 2016

P.C. :-

1. The learned APP has placed on record the report dated 21st October, 2016. The report is taken on record and marked 'X1' for identification. The report states that on completion of the investigation, the Investigating Officer has filed final report claiming 'B' summary in the Court of the learned Chief Judicial Magistrate, Alibag on 11th June, 2016. We accept the statement. In view of this statement, it is not necessary to entertain this application for quashing the first

information report.

2. Needless to add that the learned Magistrate is bound to pass orders on the report after giving an opportunity of being heard to the second respondent.

3. In the event the learned Magistrate declines to accept the report, it will be open for the applicants to challenge the said order or to file a fresh application in this Court for quashing of the first information.

4. All contentions of the parties are kept open.

(A.A.SAYED, J.)

(A.S.OKA J.)