

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

**CRIMINAL APPLICATION NO.1300 OF 2015**

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Office Notes, Office  
Memorandum of appearances,  
Court's orders or directions &  
Registrar's orders.

Court's or Judge's orders

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Mr. Prashant G. Sawant, Advocate for the Applicant.  
Mr. J. P. Yagnik, APP for the Respondent Nos.1 and 2.  
Mr. Manojkumar K. Korambeth i/b. Mr. Shashikant Mandlik,  
Advocate for Respondent No.3.  
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**CORAM : A.S. OKA AND  
P.D. NAIK, JJ.**

**DATED : MARCH 29, 2016.**

**P.C.**

By this application under Section 482 of the Code of Criminal Procedure, 1973 the applicant is seeking quashing of the charge sheet filed against the applicant alleging commission of offences punishable under Sections 465, 468, 420 read with Section 34 of the Indian Penal Code. The allegation against the applicant is that forged and fabricated letters of appointment were issued by the applicant to the 3<sup>rd</sup> respondent and several other persons. The allegation is that the letters were issued purportedly on behalf of the Mumbai Municipal corporation. The letters are allegedly signed by one Shri P. Karande. During the

investigation, it was found that there is no officer by the said name in the employment of the Mumbai Municipal Corporation. The prayer for quashing is sought on the basis of the consent of the 3<sup>rd</sup> respondent to whom one such letter was addressed.

2           According to us, the offence alleged is not private in nature and it has a serious impact on the society. The offence is of a very serious nature. Therefore, in view of law laid down by the Apex Court in the case of Gain Singh v. State of Punjab and Anr<sup>1</sup>, the power of this Court under Section 482 of the Code of Criminal Procedure, 1973 cannot be exercised in the facts of the case.

3           At this stage, the learned counsel appearing for the applicant seeks permission to withdraw the application. Accordingly, the application is dismissed as withdrawn.

**(P.D. NAIK, J.)**

**(A.S. OKA, J.)**

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<sup>1</sup> 2010 (10) SCC 303