

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (APL) NO.339 OF 2016

Nilesh s/o Laxmanrao Meshram and anr.

-vs-

State of Maha. Thr. PSO, PS Frezarpura, Amravati and anr.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri P. R. Agrawal, Advocate for applicants.
Shri S. D. Sonak, Addl.PP for non-applnt.No.1/State.

CORAM : B. P. DHARMADHIKARI &
KUM. INDIRA JAIN, JJ.

DATE : December 09, 2016

1. Heard Advocate Shri Agrawal for applicants and learned Addl. Public Prosecutor for non-applicant No.1/State.
2. On 17/06/2016 we have ordered non-applicant No.1/State not to file charge-sheet. However charge-sheet is already filed on 14/06/2016.
3. Effort of Advocate Shri Agrawal is to demonstrate that offence as narrated by non-applicant No.2 in his complaint is false and also improbable. He submits that once the applicants had already moved Competent Authority and enquiry was going on, there was no question of applicants withdrawing said allegations or

withdrawing enquiry. He therefore contends that improbable story is pressed into service and applicants are being harassed.

4. We have perused reply affidavit filed by learned Addl. Public Prosecutor as also FIR. Prima facie, ingredients of offences punishable under Sections 384 and 387 of IPC are made out. We clarify that these observations are made only for the purpose of disposing this controversy in extra ordinary jurisdiction.

5. In this situation, without observing anything on merits of controversy and with liberty to applicants to take such other steps as are open in law, we dispose of present application with no order as to costs.

JUDGE

JUDGE