

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

Criminal Application (APL) No.679/2015
(Kamlakar Motiram Pakmode .vs. The State of Maharashtra and another.)

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

Ms. Ankita Sarkar, Advocate for Applicant.
Mr. M.J. Khan, APP for Respondent No.1.
Mr. Y.B. Mandpe, Advocate for Respondent No.2.

CORAM : B.R. Gavai & V.M. Deshpande, JJ.
DATED : June 08,2016.

Heard.

By way of present application, the applicant has sought for quashing of the proceedings.

The law on exercising the jurisdiction under Section 482 of the Code of Criminal Procedure for quashing the proceedings is well settled. Unless the allegations made in the first information report do not constitute the ingredients of the offence, it will not be appropriate for this Court to exercise the jurisdiction under Section 482 of the Cr.P.C.

Except making a bald allegation that the first information report is lodged out of political rivalry, nothing is placed on record to substantiate the said allegations.

The perusal of the first information report would reveal that the ingredients to constitute the offence are made out. Not only that, from the reply of the investigating officer it will reveal that the statement of the witnesses recorded by the investigating officer

also substantiate the version of the first informant.

In that view of the matter, no case is made out for interference. Criminal Application (APL) No. 679 of 2015 is rejected.

JUDGE

JUDGE

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