

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

CRIMINAL APPLICATION (APL) NO.699 OF 2016

Vijay S/o Vishnuji Goswami

..VS..

State of Maharashtra, through Police Station Officer, Police Station Balapur, Tahsil
Balapur, District Akola

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

Court's or Judge's Order

Shri S.D. Chande, counsel for the applicant.
Shri S.S. Doifode, Addll.P.P. for the non-applicant/State.

**CORAM : B.P. DHARMADHIKARI &
KUM. INDIRA K. JAIN, JJ.**
DATED : DECEMBER 14, 2016.

Heard learned counsel Shri S.D. Chande for
the applicant and learned Additional Public Prosecutor
Shri S.S. Doifode for the non-applicant/State.

Perused the reply-affidavit filed by the
Police Sub Inspector, Police Station Balapur, District
Akola. In paragraph No.5 it is mentioned that the
present applicant was not Director during the period
from March 2011 to March 2016 and the applicant
assumed that office on 27.6.2016 due to General
Elections of Managing Committee of a Co-Operative
Society.

The period for which offences under

Sections 420, 407, 468, 471 read with Section 34 of the Indian Penal Code are alleged is, therefore, before the applicant becoming the Director.

As such, no cognizance of any offence can be taken against him.

Therefore, F.I.R. No.282 of 2016 dated 8.8.2016 to the extent of its cognizance against the present applicant is set aside. The cognizance taken against earlier Directors is not disturbed by this Court.

The criminal application is thus allowed and disposed of. No costs.

JUDGE

JUDGE

!! BRW !!

C E R T I F I C A T E

I certify that this Order/Judgment uploaded is a true and correct copy of original signed Order.

Uploaded by : Bhushan R.Wankhede.
(Personal Assistant)

Uploaded on :- 15/12/2016

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