

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 3051 OF 2017

Ganesh Shantaram Aamle & Ors. .. Applicants

Versus

The State of Maharashtra & Anr. .. Respondents

Mr.B.S. Deshmukh, Advocate for the applicants.

Mr.V.M. Kagne, A.P.P. for respondent/State.

**CORAM : S.S.SHINDE &
S.M.GAVHANE, JJ.**

DATED : 19.07.2017

P.C. :-

1. Heard. Learned Counsel appearing for the applicant submits that there was a mob of more than 200 persons and therefore selectively lodging of FIR against present applicants without establishing identity and making wild allegations without any substance deserves to be quashed.

2. On the other hand, learned APP appearing for the State submits that the allegations in the FIR clearly discloses alleged offence. Therefore, investigation is necessary.

3. Upon hearing learned Counsel appearing for the

petitioner and learned APP appearing for the respondent/State and upon careful perusal of the allegations in the FIR, prima facie, alleged offences have been disclosed and needs further investigation. Therefore, at this stage of investigation, we are not inclined to accede to the prayer of the applicants for quashing the FIR. Hence, the criminal application stands rejected.

4. However, we make it clear that rejection of application shall not be construed as impediment for invoking appropriate remedy available in law, in the event of filing of charge-sheet by the Investigating Officer. Needless to observe that the observations made herein are prima facie in nature.

[S.M.GAVHANE, J.]

[S.S. SHINDE, J.]