

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

CRIMINAL APPLICATION NO. 3452 OF 2017
BALASAHEB BABASAHEB SHELKE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANR

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Advocate for Applicants : Mr. S.J. Salunke
APP for Respondent/State: Mr. Shashibhushan P.
Deshmukh

Advocate for respondent no.2 : Mr. V.S. Undre

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CORAM : S.S. SHINDE & MANGESH S. PATIL, JJ.
Dated: NOVEMBER 7, 2017

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PER COURT :-

Heard the learned counsel appearing for the applicants, the learned A.P.P. appearing for the Respondent/State and the learned counsel appearing for Respondent No.2.

2. We have carefully perused the allegations in the first information report and also the documents placed on record. Once the ingredients of the alleged offences have been disclosed after reading the allegations in the first information report, in that case, the matter is required to be investigated. In the present case, the ingredients of the alleged offences have been

disclosed, hence the prayer for quashing the first information report cannot be entertained. The contention of the learned counsel appearing for the applicants that, the first information report is lodged out of vengeance cannot be considered in view of the allegations made in the first information report. Upon careful perusal of the injury certificate not only there are simple injuries but there are other injuries which are in grievous nature.

3. For the reasons aforestated, the application is devoid of any merits and the same stands rejected.

4. The observations made hereinabove are prima facie in nature and confined to the adjudication of this application only. The rejection of this application shall not be construed as an impediment to the applicants to avail of an appropriate remedy, as available in law.

(MANGESH S. PATIL, J.)

(S.S. SHINDE, J.)

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