

Nalawade

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPEALLATE JURISDICTION

CRIMINAL APPLICATION NO. 20 OF 2015

Rajesh Babu KothadiyaApplicant.

vs.

The State Govt. of Maharashtra & ors. ...Respondents.

Ms. Lucy Massey with Shivkumar Mishra i/by V. S. Jabra
for the Applicant.

Mrs. M.M. Deshmukh, APP for the State.

Mr. Rakesh Kumar Singh for Respondent No.3.

CORAM: SHRI RANJIT MORE &
A.S.GADKARI, J.

DATE : 01st August, 2017

P.C.

1. Heard learned counsel for the petitioner,
learned APP and learned counsel for Respondent No.3.

2. This application is filed for quashing of the FIR
No.40 of 2014 registered with Bandra Police Station at the
instance of respondent No.3 for the offences punishable
under Sections- 420, 406, 466, 468, 504, 506(2) read with
34 of the Indian Penal Code.

3. A copy of the FIR is annexed at Exhibit-A. We
have gone through the same. The FIR discloses that the
applicant accepted an amount of Rs.20,00,000/- from the
complainant with the promise that he will give one
premises admeasuring about 1000 sq.ft. at Varsova.
Subsequently, he learnt that the applicant sold the subject

premises to third person and thereby deceived the complainant. The FIR also discloses that subsequently the applicant issued two cheques in favour of respondent No.3-complainant for an amount of Rs.12,50,000/- each however he was asked not to deposit the same in the bank.

4. In our view, the FIR prima facie discloses commission of cognizable offence against the applicant and therefore, we are not inclined to entertain the application and the same is accordingly dismissed.

(A.S.GADKARI, J.)

(RANJIT MORE, J.)