

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 136 OF 2017
IN
C. R. NO.288 OF 2016**

Lalbabu Ambikalal Gupta & Ors

..Applicants

Vs.

State of Maharashtra

..Respondent

Mr. A. K. Prajapati for the Applicants

Mr. V. B. Kondedeshmukh Addl.PP for the Respondent-State

**CORAM :R. M. SAVANT, &
SANDEEP K. SHINDE, JJ
DATE : 7th AUGUST, 2017**

P.C.

1 By the above Criminal Application, the Applicants are seeking the quashing of the FIR registered by the RPF Police Station, Pune being C. R. No.288 of 2016. It is the contention of the Learned Counsel for the Applicants that the said FIR is registered on the hearsay statements of the complainant. The Learned Counsel for the Applicants seeks to rely upon an order passed by a Learned Single Judge of this Court on 13-1-2017 whilst granting the bail to the Applicant No.1. The Learned Additional Public Prosecutor Mr. Kondedeshmukh states that the investigation is in progress.

2 The Learned Counsel for the Applicants wants this Court to embark upon an exercise of weighing the material which is on record till this date to come to a conclusion as to whether case for proceeding with the

Applicants is made out. In our view, such an exercise cannot be carried out whilst exercising jurisdiction under Section 482 of the CrPC.

3 However, having regard to the involvement of the Applicant No.1 as disclosed in the FIR, the relief sought by the Applicants in the above application cannot be granted. The above Criminal Application is accordingly rejected.

[SANDEEP K. SHINDE, J]

[R.M.SAVANT, J]