

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION NO. 197 OF 2014**

Smt. Neeta Jignesh Parikh

..Applicant

Vs.

The State of Maharashtra & Ors.

..Respondents

Mr. Prathamesh Kamat with Mr. Zueb Cutlerywala and Mr. Vikram Kamath i/b. Kochhar & Co. for Applicant.

Dr. F. R. Shaikh – APP for State.

Mr. Ajaraj D. Bagwe i/b. Mulla & Mulla & C.B.C. for Respondent No. 3.

**CORAM : S. C. DHARMADHIKARI AND
PRAKASH D. NAIK, JJ.**

DATE : 3RD MAY, 2017

P.C. :

1] By this application invoking the inherent powers of this Court under Section 482 of the Cr.P.C., the request is to call for the records and proceedings of Complaint No.367/SW/2010 and the order dated 17th October 2013 passed by the competent criminal court and quash and set aside the same.

2] As a result of the direction under section 156(3) of the Cr.P.C. the FIR came to be registered impleading and arraying the applicant before us as accused.

3] However, now it is informed by Mr. Shaikh, learned APP that the concerned police station, viz., Aarey Police Station, Goregaon, Mumbai, has filed a 'C' Summary Report and though it was not accepted and rejected by the trial court so also reinvestigation directed on 17th October 2010, a further report dated 2nd May 2017 had been placed on the file of the competent criminal court. The further report also discloses that no offence has been committed.

4] If this is the conclusion reached in the report then the apprehension of the applicant does not survive. The application is disposed of.

5] However, we clarify that this order does not prejudice the rights and contentions of all parties particularly the complainant – respondent no. 3.

(PRAKASH D. NAIK, J.)

(S. C. DHARMADHIKARI, J.)