

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1562 OF 2015

Premji Shyamji Gada.] ... Petitioner

Versus

The State of Maharashtra.] ... Respondents

Mr. Samyak Gimekar i/b Mr. G. B. Lad for Petitioner.

Mrs. A. S. Pai, APP for State.

**CORAM :- RANJIT MORE &
SARANG V. KOTWAL, JJ.**

DATE :- 13 JUNE, 2017

P. C. :-

1. Heard the learned Advocate for petitioner and the learned APP for some time.

2. The petition is filed for quashing the Criminal Case No.883/PW/08 pending on the file of the learned Metropolitan Magistrate, 49th Court, Vikhroli, Mumbai.

3. We have gone through the charge-sheet annexed to the petition. We have also perused the FIR and the statements of the witnesses. The perusal thereof does *prima-facie* disclose commission of the cognizable offences punishable under Sections 353 and 332 of the IPC. We are, therefore, not inclined to entertain this petition.

4. Be that as it may, it is pointed out that that the said criminal case is at the stage of trial. Examination of one prosecution witness is already over. In these circumstances, no case is made out for interference. The petition is dismissed.

5. Needless to say, the trial Court shall dispose of the said criminal case independently and in accordance with the law, without being influenced by the present order.

(SARANG V. KOTWAL, J.)

(RANJIT MORE, J.)