

Rane

* 1/2 * WP-3532-2017 (SR.913)

Friday, 29.9.2017

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 3532 OF 2017

Canbara Industries Private
Limited & anr.

....Petitioners

V/s.

Riyaz Muslim Khan and Ors.

....Respondents

* * * * *

Mr. Khan Mohd. Yusuf, G. Advocate for the petitioners.

Mr. Mohd. Dais Shakil Ahmed, Advocate for respondent
no.1.

Mrs. A.S. Pai, Additional Public Prosecutor for the
respondent no.2, State.

Mrs. Purnima H. Kanatharia, Advocate for respondent
no.3.

CORAM :-

R.M. SAVANT &

SANDEEP K. SHINDE, JJ.

DATE :-

29TH SEPTEMBER, 2017.

P.C. :-

1. By the above petition, quashing of the C.R. No. 96 of
2017 has been sought. The quashing by consent is sought
on the ground that the First Informant filed an Affidavit

calling in question the FIR on the grounds mentioned in the said Affidavit. It is required to be noted that, two deaths have taken place as the rope of the lift was broken which incident took place in the factory of the petitioners. The offences are under Sections 287, 338 and 304A of the Indian Penal Code. The investigation is in progress. We therefore cannot accede to the request of the petitioners for quashing of the FIR on the basis of the Affidavit filed by the respondent no.2 herein. In that view of the matter, no relief can be granted. The above Writ Petition is accordingly dismissed.

(SANDEEP K. SHINDE, J)

(R.M. SAVANT, J)