IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1255 OF 2016

Mousami Guha .... Applicant

versus

The State of Maharashtra & Anr. ... Respondents

.....

- Mr.M.M. Kale, Advocate for the Applicant.
- Mr.M.B. Patil, APP for the State/Respondent.
- Mrs.A.S. Pai, Advocate for the Respondent No.2.

CORAM : RANJIT MORE &
SARANG V. KOTWAL, JJ.
DATE : 07th JUNE, 2017.

P.C. :

1. Heard the learned counsel for the petitioner. The petition is filed for quashment of First Information Report in C.R.No.214/15 dated 06/05/2015 registered with Worli Police Station for the offences punishable u/s 420, 465, 467, 468, 471 of the Indian Penal Code. The copy of FIR is annexed at Ex.A. We have gone through the allegations made in the FIR. Same is registered at the instance of one Shahaji Deshpande, Assistant Engineer, Doordarshan.

2. The FIR disclose that the tender was invited by Doordarshan. The applicant is the proprietor of M/s Farlec & Co. The applicant's tender was accepted. Under the terms of the tender the applicant was required to submit bank guarantee to the tune of Rs.2,03,963/-. The FIR further disclose that the applicant has submitted bogus/forged bank guarantee. The learned counsel for the petitioner does not dispute this fact. He submits that applicant was not aware of the said fact and the bank guarantee was secured by his employee. It is also submitted that the amount of the bank guarantee is already deposited with the Doordarshan. However, these submissions cannot be taken into consideration at the stage of quashing.

3. No case is made out for quashment of the subject FIR. Prima facie, the commission of cognizable offence is disclosed. The application is accordingly dismissed.

(SARANG V. KOTWAL, J.) **(RANJIT MORE, J.)**

Nesarikar