

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO.1305 OF 2016

Mr. Appasaheb Rajaram Hake & Ors. ...Applicants

Versus

Shri Shivaji Baba Patole & Anr. ...Respondents

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Mr. Vinod Sangvikar i/b. Mr. Umesh R. Mankapure for the
Applicants.

Mrs. S.V. Sonawane, APP for the Respondent No.2-State.

**CORAM : A.S. OKA &
SMT. ANUJA PRABHUDESSAI, JJ.**

DATED: 30th JANUARY, 2017.

P.C.:-

Not on board. Taken on board.

2. The learned APP on instructions of the Investigating Officer states that charge sheet for various offences including an offence punishable under Section 304 B of the Indian Penal Code has been filed as against the Applicants on 18th January, 2017. We accept the said statement.

3. The learned counsel appearing for the Applicants seeks quashing of First Information Report on merits as well as on the

ground of settlement. As far as the settlement is concerned, since the victim of the offence is no more, and since the offence is of a very serious nature, the prayer for quashing of the First Information Report on the ground of settlement cannot be considered.

4. Now the charge sheet has been filed. As the Applicants have remedy available before the concerned Court, this Application for quashing the First Information Report is not entertained and the same is disposed of by granting liberty to the Applicants to file appropriate proceedings before the concerned Court.

5. All contentions on merit are kept open.

(ANUJA PRABHUDESSAI, J.)

(A.S. OKA, J.)