

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

Criminal Application (APL) No.476 of 2016

(Ankush Mahadeo Gajbhiye & 2 others -vs.- State of Maharashtra, thr. PSO, PS Wadi, Nagpur & another)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders.

Mr. S.S. Meshram, Advocate for Applicants.
Mr. Ashirgade, APP for State.

**CORAM : R.K. DESHPANDE &
MANISH PITALE, JJ.**

DATE : 16.08.2017.

By this application the applicants seek quashing of F.I.R. No. 461 of 2015 dated 16.07.2015 and charge-sheet No. 392 of 2015 registered against them at the behest of complaint made by non-applicant No.2. It was alleged by non-applicant No.2 that on 08.07.2015 the applicants had forcibly taken away his auto-rickshaw thereby committing an offence of robbery punishable under Section 392 of the Indian Penal Code.

2. Thereafter, at the behest of applicant No.1 cross F.I.R. has been registered bearing No.296 of 2016 against non-applicant No.2 for the offence punishable under Section

419, 420, 465, 468, 471 r/w Section 34 of the Indian Penal Code. The allegation of applicant No.1 resulting in the said F.I.R. is that non-applicant No.2 had fraudulently got registration of the auto-rickshaw in his name. It is stated that in the said F.I.R. also a charge-sheet has been submitted before the Court.

3. As there are disputed questions raised in this application in respect of both the F.I.Rs., we refrain from exercising our power under section 480 of the Code of Criminal Code. Accordingly, we dismiss this application with liberty to the applicants to move the competent Court for consolidation of both the proceedings and trial of both the cases together.

JUDGE

JUDGE