

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 4889 of 2017**

Pushpa w/o. Anil NarsalePetitioner
versus
The State of Maharashtra and anr.Respondents

Mr. V. S. Tadke, advocate for the petitioner.
Mr. Deepak Thakare, PP along with Mr.F. R. Shaikh, APP for the State.

**CORAM : RANJIT MORE &
A. M. BADAR, JJ.**

DATE : 14th SEPTEMBER, 2018.

P. C. :

Heard learned counsel for the petitioner and learned PP for the State.

2. The petition is filed for quashing the proceedings of criminal case bearing R.C.C.No.31 of 2016 pending on the file of learned JMFC, Madha, Dist.Solapur. The said case arises out of registration of FIR bearing CR No.136 of 2015 with Kurduwadi Police Station for the offence punishable under section 420 of the Indian Penal Code, 1860. The allegation against the petitioner who is the proprietor of Aditya Agencies is that he supplied bleaching powder with 22.63% of chlorine. Under the relevant parameters, the minimum % of chlorine is 34%. The allegations against the petitioner is that he cheated the Government by supplying bleaching powder of inferior quality.

3. The learned counsel for the petitioner, relying upon various documents, tried to argue that the bleaching power supplied by the petitioner was not of inferior quality and the content of chlorine was more than 34%. However, these documents would be required to be proved before the Trial Court by leading evidence.

4. In the light of the above, we are not inclined to quash the subject criminal case. The petition is devoid of any substance and the same is, accordingly, dismissed.

[A. M. BADAR J.]

[RANJIT MORE, J.]