

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 779 OF 2017**

Aman Janardan Agrawal & Ors

..Petitioners

Vs.

State of Maharashtra & Ors

..Respondents

Mr. A. H. Fatangare for the Petitioners

Mr. Suresh Kumr for the Respondent No.2

Mr. A. D. Kamkhedkar Addl PP for the Respondent State

**CORAM :R. M. SAVANT, &
REVATI MOHITE DERE,JJ
DATE : 22nd JUNE, 2018**

PC.

1 The quashing of the FIR being CR No.I-77/2016 which has been registered at the behest of the Assistant Commissioner of Provident Fund against the Petitioners is sought by way of the above Petition. The said FIR has been registered under Section 406 of the IPC and the cause for the same is the non deposit of the employees provident fund contribution by the Petitioners who are the employers. The non deposit is for the period October 2014 to December 2015 i.e. for a period of over one year.

2 The Learned Counsel appearing for the Provident Fund Authorities Mr. Suresh Kumar points out that this is only in respect of the employees contribution whereas the employers provident fund contribution has not been deposited as yet.

3 The quashing of the FIR is sought on the ground that the amount has now been deposited. In our view, that cannot be a ground for quashing the FIR at this stage. We therefore decline to interdict in our Writ Jurisdiction. The above Writ Petition is accordingly dismissed.

4 Needless to state that if any application is filed by the Petitioners for compounding or for discharge, the same would be heard and decided on its own merits and in accordance with law.

[REVATI MOHITE DERE, J]

[R.M.SAVANT, J]