

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

CRIMINAL WRIT PETITION NO.720 OF 2011

Balkrishna Sheenappa Shetty : Petitioner.
Versus
State of Maharashtra and ors. : Respondents.

Mr. P C Kansara for the Petitioner.
Mr. V B Konde-Deshmukh, Addl. PP for the Respondent/State

**CORAM : R. M. SAVANT &
REVATI MOHITE DERE, JJ.**
DATE : 15th JUNE 2018

P.C.

1 The above Writ Petition has been filed for quashing and setting aside of the proceedings being PCR/2/2011 which has been registered with MIDC Police Station, Mumbai. The FIR in question was registered under Sections 68 and 83 of the Bombay Prohibition Act on 03/02/2011. The quashing of the proceedings is sought inter alia on the grounds mentioned in the above Writ Petition.

2 The learned Additional Public Prosecutor Shri V B Konde-Deshmukh states that the charge sheet in the above case has been filed sometime in the year 2012 being CC No.1870/PW/2012. The learned counsel appearing on behalf of the Petitioner Shri P C Kansara states that the Petitioner is not aware of the filing of the charge sheet. Upon this the learned Additional Public Prosecutor states that the copy of the charge sheet would be furnished

to the Petitioner. After receipt of the copy of the charge sheet it would be open for the Petitioner to take appropriate recourse before the Trial Court. In so far as issue of jurisdiction is concerned, we keep the said issue explicitly open to be urged before the Trial Court at the appropriate stage. With the directions as aforesaid, the above Writ Petition is disposed of. The letter dated 15/06/2018 of the Senior Police Inspector of the MIDC Police Station, Mumbai is taken on record and marked as "X" for identification.

[REVATI MOHITE DERE, J]

[R.M.SAVANT, J]