

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.294 OF 2015

Sunil Baliram Bane and ors .. Applicants
Versus
The State of Maharashtra & Anr .. Respondents

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Mr. R.S.Apte, Sr. Advocate with Mr.Rahul Singh i/b P.R. Arjunwadkar for the applicants.
Ms.S.D.Shinde, APP for the State.
Mr.A.H.H. Ponda with Mr.R.R.Shah i/b V.M. Advani for respondent no.2.

**CORAM: SHRI RANJIT MORE &
SMT. BHARATI H.DANGRE, JJ.**

DATED : 24th SEPTEMBER 2018

P.C:-

1 Criminal Application is filed for quashing of the proceedings of the Summary Criminal Case No.5595 of 2011 pending before the Court of 10th Joint Judicial Magistrate, First Class, Thane.

2 Mr.Apte, learned senior counsel does not dispute that earlier the petitioner filed discharge application before the Court. The application came to be rejected. The petitioner thereafter preferred Revision Application in the Sessions Court.

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That Revision Application also came to be dismissed. The petitioner thereafter challenged the order of dismissal before the learned Single Judge of this Court. The petitioner withdrew the application with liberty to approach appropriate authority.

3 In our considered opinion, the petitioner having failed in the discharge application and this order has attained finality in the High Court. It is not open for him to again approach the Division Bench of this Court for quashing. That apart, it must be noted that the petitioner had earlier invoked the jurisdiction of this Court under Section 482 of the Cr.P.C, and that is another reason why we are not inclined to entertain the present application.

4 Taking into consideration the facts and circumstances of the case, we are not inclined to entertain the application. The same is dismissed.

(SMT. BHARATI H. DANGRE, J.)

(RANJIT MORE, J.)

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