

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 270 OF 2017
IN
CRIMINAL WRIT PETITION NO. 1930 OF 2013**

Rajkumar Lalman Gupta @
Raju Sudam Sheth (Rajabhau) ...Applicant
Versus
The State of Maharashtra & Ors. ...Respondents

Ms. Radhika Samant i/b Mr. Pradeep Havnur for the Applicant

Mr. V. B. Konde-Deshmukh, A.P.P for the Respondent-State

***CORAM : R. M. SAVANT &
REVATI MOHITE DERE, JJ.
FRIDAY, 13th JULY, 2018***

P.C. :

1 The above Criminal Application has been filed seeking early hearing of the above Writ Petition which has been admitted on 3rd December 2013. The second relief sought is to direct the Respondent No. 1 to produce the concluded report as against the Respondent Nos. 3 to 8. The last relief sought is the return of the Applicant's car, mobile/cell phones and credit cards retained by the Respondent Nos. 3 to 8.

2 The order of admission of the above Petition dated 3rd December 2013 indicates that the Petition has been admitted only *qua* prayer clauses (b) and (c). The gist of the said prayers is that a departmental inquiry be held against the Respondent Nos. 3 to 8 and that the Applicant be compensated to the tune of Rs. 5 crores. Hence, impliedly, the other prayers sought in the Petition have been rejected. The relief sought in the above Criminal Application which we have adverted to hereinabove are not in sync with the prayers *qua* which the above Petition has been admitted. It is well settled that the interim reliefs which are sought can only be in furtherance of the final reliefs which are sought in a proceeding. In our view, therefore, the above Criminal Application filed for the reliefs claimed, is not maintainable.

3 Insofar as the relief as regards the return of the Applicant's car, mobile/cell phones and credit cards allegedly retained by the Respondent Nos. 3 to 8 is concerned, the Applicant would be at liberty to file an appropriate application before the Trial Court which is in seisin of the case in question. We express no opinion in that regard.

4 In the light of what has been stated hereinabove, the Criminal Application stands disposed of.

REVATI MOHITE DERE, J.

R. M. SAVANT, J.