

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 681 OF 2018**

Mr. Dattatray W. Karale

..Petitioner

Vs.

Mr. Jayesh M Mehta & Ors

..Respondents

**Mr. Manish Jain a/w Mrs. Shweta M Jain I/b S. N. Jain & Associates for the
Petitioner**

Mrs. P. P. Shinde APP for the Respondent State

API Mr. Shahuraj Ranvare, Tulinj Police Station Present

**CORAM :R. M. SAVANT, &
REVATI MOHITE DERE,JJ
DATE : 20th JULY, 2018**

P.C.

1 The above Writ Petition has been filed for quashing of the FIR being No.I-365 of 2018 for the offences punishable under Sections 384 and 386 of the IPC, registered with the Nallasopara Police Station, District Palghar.

2 The gravamen of the allegations against the Petitioner is the demand of money for not complaining against the alleged illegal construction being put by the Complainant. The said FIR is under investigation and we are informed by the Learned APP that material to indicate the complicity of the Petitioner for the said offences has been uncovered during the course of the investigation.

3 The Learned Counsel for the Petitioner Mr. Jain sought to draw

out attention to the allegations made in the FIR and the material which is on record in the above Petition to contend that in respect of the offences alleged in the said FIR the ingredients are conspicuously absent.

4 It is not possible for us at this stage to go into the factual aspects especially having regard to the fact that the investigation is on going and is likely to be completed in a short time. We therefore have restrained ourselves from making elaborate comments on merits as regards the material which has been uncovered till date, lest it affects the Petitioner in the trial or in prosecuting any remedy that the Petitioner may have under the CrPC. However, we do not deem this a fit case to exercise out Writ Jurisdiction. The Writ Petition is accordingly dismissed.

[REVATI MOHITE DERE, J]

[R.M.SAVANT, J]