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APL-720-2017 (SR. 29)

Thursday, 11.1.2018

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 720 OF 2017

Dr. Mahendra V. Wadiwala

....Applicant

V/s.

The State of Maharashtra
and anr.

....Respondents

* * * * *

Mr. Nitin Pradhan i/by. Mr. Amarendra Mishra, Advocate
for the applicant.

Mr. A.R. Kapadnis, APP for the respondent, State.

CORAM :-

R.M.SAVANT, &

SANDEEP K. SHINDE, JJ.

DATE :-

11TH JANUARY, 2018.

P.C. :-

1. The above Criminal Application has been filed for quashing the proceedings being C.C. No. 596/PW/2016 pending before the Metropolitan Magistrate, 64th Court, Esplanade, Mumbai. The said case has arisen out of FIR No. 177 of 2016 dated 6th May, 2016 registered with the Azad Maidan Police Station under Sections 419, 170, 183, 186 and 120(B) of the Indian Penal Code.

2. The Learned Counsel for the applicant, Mr.

Pradhan sought to make submissions as regards the complicity of the petitioner in so far as the offences which are part of the FIR are concerned. The Learned APP, Mr. Kapadnis, draws our attention to the fact that, the chargesheet is already filed. Having regard to the fact that, the chargesheet is already filed and bears the Case No. 596/PW/2016, we do not deem it appropriate to go into the merits of the case of the applicant as urged by the Learned Counsel. Upon this, the Learned Counsel for the petitioner, Mr. Pradhan would submit that, the petitioner would take appropriate recourse in law for his discharge.

3. If any such application is filed, needless to state that, the same would be considered on its own merits and in accordance with law. We do not express any opinion in that regard. The application to be heard expeditiously. With the observations as aforesaid, the Application is disposed of.

(SANDEEP K. SHINDE, J)

(R.M. SAVANT, J)