

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.3978 OF 2015

Ravindra Narayan Gavand : Petitioner.
Versus
Dharma Narayan Mhatre and anr. : Respondents.

Mr. Vinay J Bhanushali for the Petitioner.
Ms. Anamika Malhotra, APP for the Respondent/State.

CORAM : R. M. SAVANT &
SANDEEP K SHINDE, JJ.
DATE : 22nd FEBRUARY 2018

P.C.

1 Quashing of the FIR in question is sought on the ground that the FIR of which quashment is sought is the 2nd FIR registered on the basis of the same allegations. The learned counsel for the Petitioner seeks to rely upon the judgments of the Apex Court reported in 2013(2) Bom. C.R.(Cri.) 593 in the matter of Amitbhai Anilchandra Shah v/s. Central Bureau of Investigation. and anr. and 2017(4) Bom. C.R.(Cri) 171 in the matter of Dream Logistics India Pvt. Ltd & ors. v/s. State of Goa and anr. to support his said contention.

2 We have, with the assistance of the learned counsel for the Petitioner and the learned APP, gone through the instant FIR as also the earlier FIR. On such perusal we find that the two FIRs are founded on different facts and therefore the contention of the Petitioner that the 2nd FIR has been

registered on the same set of facts cannot be accepted. In view thereof, the judgments (supra) would not aid the Petitioner in furtherance of his case of quashing of the FIR. Hence no relief can be granted to the Petitioner. The above Writ Petition is accordingly dismissed.

[SANDEEP K SHINDE, J]

[R.M.SAVANT, J]