

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO.1285 OF 2016

Sushil Baban Kadam and anr. : Applicants.
Versus
The State of Maharashtra and anr. : Respondents.

Mr. Milind A Ingole for the Applicants.
Mr. K V Saste, Addl. PP for the Respondent/State.
Mr. Sandeep V Marne for the Respondent No.2.

**CORAM : R. M. SAVANT &
SARANG V. KOTWAL, JJ.**
DATE : 02nd APRIL 2018

P.C.

1 The above Criminal Application has been filed for quashing of the FIR being C.R.No.348 of 2016 registered with Vashi Police Station for the offences punishable under Sections 353, 506, 186 read with Section 34 of the Indian Penal Code.

2 The first informant was the General Manager of the Mahanagar Telephone Nigam Limited (for short "MTNL") and the Applicants herein were also the employees of the MTNL. The allegations made by the first informant are revolving around the transfer orders which he had issued in respect of the Applicants aggrieved with which the transfer orders the Applicants had committed the acts which have been alleged in the FIR.

3 Prima facie on a reading of the FIR, it cannot be said that the

Applicants have been wrongly arraigned as accused for the offences which have been alleged against them. It is not possible for this Court in its jurisdiction under Section 483 of the Criminal Procedure Code to delve upon the factual aspects and record findings thereon. In that view of the matter, no case for interference is made out. The above Criminal Application is accordingly rejected.

[SARANG V. KOTWAL, J]

[R.M.SAVANT, J]