

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 1225 OF 2017**

Amritlal Ladha Maru	...Applicant
Versus	
The State of Maharashtra & Anr.	...Respondents

Mr. Ambadas Vishwanath Chatuphale for the Applicant

Mr. K. V. Saste, A.P.P for the Respondent No.1-State

Mr. Sushil C. Matkar i/b CORPSLEGAL for the Respondent No. 2

***CORAM : R. M. SAVANT &
REVATI MOHITE DERE, JJ.
TUESDAY, 5th JUNE, 2018***

P.C. :

1 The above application filed under Section 482 of the Code of Criminal Procedure seeks the relief of quashing and setting-aside the MECR No. 6 of 2017 registered with the Santacruz Police Station, Mumbai, on 19th October, 2017 under Sections 415 and 420 of the Indian Penal Code. The said MECR has been registered at the instance of the respondent No. 2 herein. The gravamen of the allegations against the applicant is in respect of the document which was submitted by the applicant along with his application for change of electricity provider i.e.

from Reliance Energy Ltd. to Tata Power Ltd. It seems that one of the requirements that a licensee of electricity requires a consumer to submit, is document showing the occupation of the premises. The applicant, it seems, submitted the receipt which is at Exhibit B page 87 of the paper-book in support of the said application as per the requirement of the service provider i.e. Tata Power Ltd. Insofar as the said document is concerned, the letter of the Deputy Registrar, Cooperative Societies, H-West Ward has come on record, which discloses that no society by the name of Damodar Villa Cooperative Housing Society Ltd. has been registered with the said Office. Hence, *prima facie*, the genuineness of the document Exhibit B page 87 which is in the nature of a bill for maintenance, is in question.

2 We are informed by the learned A.P.P Mr. K. V. Saste that the matter is still under investigation and the investigating agency has also sought information from the Tata Power Ltd. as well as the Office of the Deputy Registrar of the Cooperative Societies. However, having regard to the facts as aforestated, we do not deem it appropriate to entertain the above application, more so, having regard to the letter of the Deputy Registrar of Cooperative Societies informing the Respondent No. 2 that no such society

has been registered with that office. In that view of the matter, there is no merit in the above application. The same is accordingly dismissed.

REVATI MOHITE DERE, J.

R. M. SAVANT, J.