

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

CRIMINAL APPLICATION (APL) NO.626 OF 2018

Rajesh Kantilal Popat @ Raju Rupam & Ors. ...Applicants

vs.

The State of Maharashtra and Anr. ...Respondents

Mr. Viral Rathod i/b Ms. Bimla Chounal for the Applicants.

Mr. Satyaprakash Sharma i/b Ms. Savita N. Matakari for Respondent No.2.

Mrs. S. D. Shinde, APP for the Respondent-State.

**CORAM : B. P. DHARMADHIKARI &
REVATI MOHITE DERE, JJ.**

DATE : 04/02/2019.

P.C.:

. Applicants request for quashing FIR in C.R. No.185/2018 under sections 386, 364-A, 342, 394, 506-II, 504 and 34 of IPC. Respondent No.2 complainant has already given no objection.

2. This Court has on 18/12/2018 issued a notice and directed State Government to file appropriate affidavit pointing out antecedents of parties. Accordingly, affidavit has been filed by API of Juhu Police Station which show 5 offences registered against the applicants. Three out of them are under various Sections including Sections 324, 326, 307 of IPC and Sections 4 and 5 of the Arms Act and also Section 37 of Mumbai Police Act.

3. In the present matter also police have invoked Section 34 of IPC against all the three accused. It is therefore apparent that the FIR cannot be quashed. The application is rejected.

(REVATI MOHITE DERE, J.)

(B. P. DHARMADHIKARI, J.)