

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

CRIMINAL APPLICATION NO. 703 OF 2018

Vijay Shivcharandas Arora	... Applicant
Versus	
The State of Maharashtra and another	... Respondents

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Mr. Samarth S. Karmarkar, Supriyanka G. Maurya i/b
Karmarkar & Associates for the Applicant.
Smt. A.S. Pai, APP for the State.
Mr. Sachin Wagh, API Powai Police Station.

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**CORAM : B. P. DHARMADHIKARI &
SANDEEP K. SHINDE, JJ**

DATE : 24th JANUARY, 2019.

P. C.:

1. Prayer is to quash FIR registered on 12th August, 2017 under Section 420 IPC. Submission is as per grievance made in FIR, there was correspondence between parties which reveals civil dispute about settlement of accounts.

2. Perusal of FIR reveals that the informant claims to be managing the affairs of company exclusively and also claims ignorance as to how debtors of said company could have paid the amount due from them to the subsequent company started by petitioner.

3. We therefore find that some disputed questions arise and defence of petitioner cannot be looked into at this stage. APP has pointed out that charge-sheet is already filed, therefore, applicant may seek discharge.

4. Hence, keeping all contentions open we grant applicant leave to file appropriate proceedings seeking discharge.

5. Application is accordingly disposed of.

(SANDEEP K. SHINDE, J.) (B. P. DHARMADHIKARI, J.)