

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 1193 OF 2016

Bechar Bau Patel

.... Petitioner

Versus

The State of Maharashtra and Ors.

... Respondents

Ms. Neha Parte i/by Mr. Rajy Suryawanshi for the petitioner.

Mr. Suraj Naik for respondent no. 5 to 7.

Dr. F.R. Shaikh, APP for the respondent State.

CORAM : B.P. DHARMADHIKARI &
NITIN R. BORKAR, JJ.
DATE : JANUARY 30, 2020

P.C.:

Heard respective counsel.

2. On 9/1/2020, we have passed the following order :

“1] Prayer made by the petitioner to quash FIR qua the petitioner only cannot be looked into as there are other accused persons and alleged offences are under sections 420, 464, 467, 468, 471 read with section 34 of Indian Penal Code. The charge-sheet has also been filed.
2] Other prayer is that the matter is amicably settled out of Court with respondent No.7 and the entire cause for filing complaint is, therefore, now non-existent.
3] Learned APP is not in a position to assist this Court as papers are not available with him.
4] It is urged that if there are other victims who have been similarly treated, the matter may require consideration.
5] Therefore, to enable learned learned APP to assist this Court, we list the matter on 30th January 2020, as a last chance.”

3. Today the position is the same. Learned APP points out that considering the nature of crime, it cannot be quashed only qua one person. Taking overall view of the matter, we keep the contention of the petitioner open and with a liberty to him to raise it at appropriate juncture or to approach this court again if the matter is compromised between the parties, we dispose of the present petition.

(NITIN R. BORKAR, J.)

(B.P. DHARMADHIKARI, J.)