

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION (APL) NO. 1029 OF 2017

Mr. Mansoor Mohammed Salim Shaikh ... Applicant

Versus

State of Maharashtra and Ors. ... Respondents

ALONG WITH
CRIMINAL APPLICATION (APL) NO. 1030 OF 2017

Mrs. Khurshida Shaikh ... Applicant

Versus

State of Maharashtra ... Respondents

Adv Jamshed Ansari for the applicants in both the matters.

Adv Alizain Patel for respondent no. 2.

Mr. K.V. Saste, APP for the respondent State.

CORAM : B.P. DHARMADHIKARI &
NITIN R. BORKAR, JJ.
DATE : FEBRUARY 14, 2020

P.C.:

Eleven applicants in the first application and six applicants in the other application are tenants of respondent no.2/complainant. Respondent no.2/complainant has alleged that for procuring electric supply and for obtaining the meter for the said purpose, his signature was forged and no objection was

submitted by the tenants to Electricity Board. On that basis, offence under sections 420, 465, 467, 468, 471 read with section 34 IPC has been registered against the respective applicants.

2. The landlord/complainant has given no objection for quashing of the FIR. Learned APP submits that as per the report lodged by landlord, signature of his grandmother was fabricated by the tenants to obtain the electric meter.

3. We need not to go into that aspect. Parties do not have any criminal antecedents and only to have electric meter, the signatures are alleged to be forged.

4. Learned APP is seeking time to make a definite statement about the antecedents of the parties. However, taking overall view of the matter, we are inclined to intervene in the matter in extra ordinary jurisdiction. Accordingly, we make the rule absolute in terms of prayer clause (b) in both the matters.

(NITIN R. BORKAR, J.)

(B.P. DHARMADHIKARI, J.)