

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (APL) NO. 111/2014

- 1] Devanand Ramraoji Petkar,
Aged 40 years, Occ. Business
R/o. C/o Bharsakle's House,
Near Mate Mangal-Karyalaya,
Mothi Umri, Tah & Dist. Akola
- 2] Rambhau Katole,
Aged 55 years, Occ. Business
R/o. K.R. Gawai's Wada,
Ayodhya Nagar, Mothi Umri,
Tah. & Dist. Akola
- 3] Dnyaneshwar Purushottam Dhanokar,
Aged 35 years, Occ. Business
R/o. Near Lala Lajpatrai
Vyayamshala, Chhoti Umri,
Tah. & Dist. Akola
- 4] Arun Devidas Wadadkar,
Aged 50 years, Occ. Business
R/o. Mate's Wada, Near Gajanan
Mandir, Mothi Umri,
Tah. & Dist. Akola
- 5] Shivdas Abhimanyu Khandare,
Aged 35 years, Occ. Pvt. Service
R/o. Bajarangwadi, Near Jaiswal
Godown, Mothi Umri,
Tah. & Dist. Akola
- 6] Suresh Manaji Sonone,
Aged : Adult Occ. Service
R/o. "Purwaram", Vikram Nagar,
Latur, Tah. & Dist. Latur

.... **APPLICANT(S)**

// VERSUS //

- 1] State of Maharashtra,
Through P.S.O., Civil Lines,
Police Station, Tah. & Dist. Akola
- 2] Ajabrao Ramrao Tale,
Aged 50 years, Occ. Business
R/o. Tale Apartment No. 8, S.B.I.,
Colony No. 5, Umri, Akola,
Tah. & Dist. Akola

.... **NON-APPLICANT(S)**

Shri U.J. Deshpande, Advocate for the applicant(s)
Shri S.S. Doifode, APP for the non-applicant no. 1
Shri S.V. Sirpurkar, Advocate for the non-applicant no. 2

CORAM : Z.A.HAQ & AMIT B. BORKAR, JJ.
DATED : 15/10/2020

ORAL JUDGMENT : (PER:- Z.A. HAQ, J.)

1] By this application under Section 482 of the Code of Criminal Procedure, the applicants have prayed that the first information report bearing no. 465/2011 registered with the non-applicant no. 1 – Police Station against them for the offences punishable under Sections 307, 321, 323, 324, 327, 341, 352, 385, 420, 406, 506 (2), 147, 148 and 120-B of the Indian Penal Code be quashed.

2] Shri S.V. Sirpurkar, Advocate for the non-applicant no. 2 – Informant states that as per his instructions, charge-sheet bearing no. 254/2014 is filed before the trial Court on 23/11/2015.

3] The applicants have not taken any steps to raise challenge to the charge-sheet and have not prayed that it be quashed.

4] Shri U.J. Deshpande, Advocate for the applicants states that there had been counter first information reports against the non-applicant no. 2 also and the matters have been amicably worked out between the applicants and non-applicant no. 2 and the complaints lodged by the applicants against the non-applicant no. 2 have been withdrawn, however, the non-applicant no. 2 is not honouring his word and has not withdrawn the complaint.

5] Learned advocate for the applicants seeks time to place the material on record and to amend the criminal application.

6] After considering the matter, we find that the request made on behalf of the applicants is not justified. If at all the applicants wanted to bring any further material on record to support their claim in this criminal application, it should have been done earlier.

7] Accepting the statement made by learned advocate for the non-applicant no. 2, the criminal application is **dismissed**.

8] The applicants will be at liberty to challenge the charge-sheet in appropriate proceedings before appropriate forum, if so advised. It is clarified that we have not adverted to the merits of the challenges raised in the criminal application.

JUDGE

JUDGE