

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APL) NO. 257/2018

Amit Arvind Hingmire and Ors.,

..VS..

State of Maharashtra, Through Police Station Officer, Tiosa, Dist. Amravati (Rural) and Anr.,

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Ms S. V. Kolhe, APP for the respondent/State.

CORAM : SUNIL B. SHUKRE AND
MADHAV J. JAMDAR, JJ.

DATED : 22nd January, 2020

Nobody is present for the applicants. This being an old matter pending for admission, we have heard learned APP for the respondent/State.

By this application, quashing of the F.I.R. bearing No.27/2018, dated 18.02.2018, lodged under Section 379 read with Section 34 of the Indian Penal Code, Section 15 of the Environment Protection Act, 1986 and Section 3 of Prevention of Damage of Public Property Act, 1984 with Police Station, Tiosa, District Amravati has been sought.

During the pendency of this petition, on 22.10.2018, this Court directed respondent No.1, the Police Station Officer, Tiosa to file charge-sheet, if at all, within a period of two weeks from 22.10.2018. Learned APP points out that when this order was passed, it was

not brought to the notice of this Court that charge-sheet in the matter had already been filed in June-2018. She submits that now, the trial has commenced as the charge has been framed on 22.12.2019 as per the instructions received by the learned APP from Police Station Officer, Shri P. I. Umbarkar, Police Station, Tiosa against all the accused persons. The fact that, charge has been framed against the applicants itself would show that there is available on record material to show *prima facie* involvement of all the accused including the applicants in the offences with which they have been charged and there is sufficient material to proceed further in the matter against them.

In view of the aforesaid development, we are of the considered view that now, this application has been rendered infructuous and it is, therefore, dismissed as infructuous.

JUDGE

JUDGE

Kirtak