

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

15 CRIMINAL WRIT PETITION NO.621 OF 2021

KISAN BAPURAO SOREKAR
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Petitioner : Mr. Gholap Ajit M.
APP for Respondents: Mr. S P Deshmukh

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CORAM : V.K. JADHAV & SHRIKANT D. KULKARNI, JJ.
Dated: June 28, 2021

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PER COURT :-

1. We have heard the learned counsel for the petitioner, at length.

2. Learned counsel for the petitioner submits that, the petitioner has got CL-III license and in terms of the permission granted by the District Collector, Parbhani dated 30.4.2021, petitioner has opened the shutter of his shop for making arrangement of home delivery. Petitioner has not violated Covid norms in any manner nor violated the orders passed by the District Collector, Parbhani.

aaa/-

3. We have carefully gone through the allegations made in the complaint.

4. It has been specifically alleged in the complaint that the present petitioner opened half shutter of his shop on 2.5.2021 and he was selling liquor to the customers in front of his shop.

5. It is well settled that powers of quashing of criminal proceedings should be exercised very sparingly and with circumspection and that too in a rarest of rare case ; the Court will not be justified in embarking upon the inquiry as to the reliability or genuineness or otherwise of the allegations made in the FIR or the complaint.

6. Learned counsel for the petitioner has vehemently submitted that the allegations against the petitioner about selling of the liquor from his shop are false and that no crime has been registered against those so-called customers, who had come in front of the shop of the petitioner for purchasing of the liquor.

aaa/-

7. We are not embarking upon the inquiry as to the reliability or genuineness or otherwise of the allegations made in the FIR. Suffice to say that, prima facie, there appears to be the violation of the Covid norms and despite the order passed by the District Collector, Parbhani permitting the petitioner to deliver the liquor only by home delivery mode, the petitioner allegedly started selling the liquor from his shop to the customers.

8. In view of the same, we find no substance in this writ petition. Writ petition is hereby dismissed.

(SHRIKANT D. KULKARNI, J.)

(V.K. JADHAV, J.)

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