

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.2303 OF 2018

Chetan Surendra Dalal

.... Petitioner

Versus

State of Maharashtra and others

.... Respondents

....

Mr. Harish Jagtiani, Senior Advocate a/w. Yashpal Jain and Aditi Harsha i/b. Yashpal Jain, for the Petitioner.

Mr. J.P. Yagnik, APP for Respondent No.1 -State.

Mr. Aabad Ponda, Senior Advocate a/w. Hormuz Mehta, Ahsan Allana i/b. J. Sagar & Asso. for Respondent No.2.

....

**CORAM : NITIN JAMDAR AND
SARANG V. KOTWAL, JJ.**

DATE : 17 DECEMBER 2021

P.C.

This Petition is filed for quashing of the FIR being C.R. No.37/2018 filed before the EOW Crime Branch, Mumbai. The learned APP, on instructions, states that the investigating agency has completed the investigation and has prepared a “C-Summary” report to be filed. However, in view of the interim relief granted in this Petition that no charge-sheet to be filed without leave of this Court, the C-Summary report cannot be filed.

2. It is settled law that if a C-Summary report is filed, the complainant would have a right to object and thereafter the concerned court will take steps as per law.

3. In light of this position, it is not necessary to keep the writ petition pending. The Petition is accordingly disposed of. Ad-interim order granted stands vacated. After the decision is taken by the concerned Court, the parties will have their rights under the Code of Criminal Procedure to be followed.

(SARANG V. KOTWAL, J.)

(NITIN JAMDAR, J.)

Deshmane (PS)