

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

CRIMINAL APPLICATION (APL) NO. 758 OF 2021

1. Abdul Imran Abdul Shakiland,
aged about 28 years, Occ. Labour.
2. Hanif Nuru Daliyakhau,
aged about 30 years, Occ. Labour.
3. Chand @ Chandu Aanu Colorwale,
aged about 43 years, Occ. Labour.
4. Munna Buddu Luluwale,
aged about 60 years, Occ. Labour.
5. Anis Bhalu Colorwale,
aged about 30 years, Occ. Labour.

All are R/o Jamb, Karanja Lad, Dist. Washim.

...APPLICANTS

Versus

1. The State of Maharashtra,
through Police Station Officer,
Police Station, Deulgaon, Buldhana.
2. Pramod Dattatraya Bhatnate,
R/o PS Deulgaon Raja, Dist. Buldhana.

...RESPONDENTS

Mr. M.N. Ali, Advocate for the applicants.
Mr. S.M. Ghodeswar, A.P.P. for respondent No.1.
None for respondent No.2.

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CORAM : M.S. SONAK AND
PUSHPA V. GANEDIWALA, JJ.
DATE : OCTOBER 26, 2021.

ORAL JUDGMENT : (PER : M.S. SONAK, J.)

Heard Mr. M.N. Ali, learned counsel for the applicants and Mr. S.M. Ghodeswar, learned A.P.P. for respondent No.1.

2. The learned counsel for the parties fairly agree that the issue involved in this application is entirely covered by our decision dated 29/04/2021 in Criminal Application (APL) No. 384/2021.

3. Therefore, by adopting the reasons in the said decision, we make Rule absolute in terms of prayer clause (i) of this application. This prayer clause reads as follows :

“i. Allow the application and be further pleased to quash the First Information Report and chargesheet vide SCC 127/2021 pending on the file of learned Judicial Magistrate First class, Deulgaon Raja (ANNEXURE I) for the offence under Sec 188, 269 Of Indian Penal Code, Sec 135 of Bombay Police Act R/w sec 2, 3, 4 of the Epidemic Diseases Act 1897.”

4. There shall be no order for costs.

(PUSHPA V. GANEDIWALA, J.) (M.S. SONAK, J.)

Sumit