

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

CRIMINAL APPLICATION (APL) NO. 654/2020

Tasswar Kha Gulam Gaus Kha
..VS..
State of Maharashtra & anr.

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

Court's or Judge's orders

Ms. M. Deshmukh, APP for the non-applicant no. 1

CORAM : Z.A.HAQ & AMIT B. BORKAR, JJ.
DATED : 11/01/2021

1] By this application under Section 482 of the Code of Criminal Procedure, the applicant – accused has prayed that the first information report registered against him vide Crime No. 35/2020 for the offences punishable under Sections 420, 465, 468 and 34 of the Indian Penal Code be quashed. By the order dated 14/07/2020, this Court directed issuance of notice to the non-applicants and granted interim order directing that charge-sheet should not be filed against the applicant. The applicant failed to supply copy of the criminal application. Hence, notice could not be issued to the non-applicant no. 2. The matter was listed on 11/08/2020 on which date this Court granted two weeks time to the applicant to serve notice on the non-applicant no. 2. Again, the applicant failed to take any steps and also to supply copy of the criminal application. Resultantly, the non-applicant no. 2 could not be served. The matter was again listed on 04/12/2020 on which date this Court granted a week's time to the applicant to supply copy of the criminal application.

Again, the applicant failed to take steps in the matter. Today, the office note shows that the applicant has not supplied copy of the criminal application and therefore notice could not be issued to the non-applicant no. 2. It further shows that the Advocate for the applicant has filed pursis dated 08/12/2020 stating that copy of the criminal application is sent to the non-applicant no. 2 by RPAD on 05/12/2020.

2] With the assistance of learned APP, we have gone through the report lodged by the non-applicant no. 2 against the applicant. The accusations against the applicant are that he had forged the letter of permission for the rally/road show which was taken out on 15/10/2019. In the criminal application, the applicant has raised various issues which according to us are not related to the factual aspects. Hence, it would not be proper for this Court to examine the matter exercising the jurisdiction under Section 482 of the Code of Criminal Procedure.

3] Hence, the criminal application is **dismissed**.

JUDGE

JUDGE