

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 1625 OF 2021

Nandkumar Balkrishna Pandhyaji ...Petitioner

Versus

The State of Maharashtra & Ors ...Respondents

Mr. Sarvajit B. Patil for the Petitioner.

Ms. A.S. Pai, PP, for the Respondent – State.

CORAM : PRASANNA B. VARALE &
ANIL S. KILOR, JJ.

DATE : JANUARY 03, 2022.

PER COURT :

1. The present Petition is filed seeking quashment of the first information report dated 18.11.2020 bearing Crime No. 436/2020 registered at Sangli Police Station, Sangli for commission of offence under Section 7A of the Prevention of Corruption Act, 1988.

2. The Petitioner is fair price shop owner having his shop no. 44 situated at village Gudgaon, Tq. Miraj, District. Sangli.

3. Perusal of the documents placed on record show

that the Petitioner filed an application before learned Special Judge, Sangli seeking regular bail and the arrest of the Petitioner was effected on 19.11.2020. By order dated 20.11.2020, the bail application was allowed subject to certain conditions. In the said order, learned Special Judge directed the Petitioner to remain present before the Court at the time of presenting the charge-sheet and the investigating officer was directed to inform the Petitioner i.e. applicant accused the date of filing of the charge-sheet.

4. Learned Counsel for the Petitioner, on instructions, submitted that the investigating agency completed the investigation by filing charge-sheet on 13.07.2021. It seems that the concerned investigation officer was instructed by higher authorities vide communication dated 13.06.2021 to file charge-sheet.

5. It reveals that the Petition is filed in this Court on 09.03.2021 and post filing the Petition, the charge-sheet is filed before the competent Court.

6. In view of these facts, we are of the opinion,

that the Petitioner can avail the efficacious remedy by approaching the competent Court including filing of an application seeking discharge on the backdrop of filing of charge-sheet before competent Court.

7. In view of the above referred facts, Writ Petition is disposed of.

(ANIL S. KILOR, J.)

(PRASANNA B. VARALE, J.)