

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL SIDE APPELLATE JURISDICTION

WRIT PETITION NO. 988 OF 2021

Mr. Sanjay E. Baviskar & Others .. Petitioners.
v/s.
The State of Maharashtra .. Respondent.

Mr. Tejas Mane i/b. Mr. Harshwardhan Salgaokar, for the
Petitioners.

Mr. K. V. Saste, APP for Respondent-State.

**CORAM: NITIN JAMDAR &
ARUN R. PEDNEKER, JJ.**
DATE : 20th JULY, 2022.

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P.C:-

Heard the learned Counsel for the parties.

2 By this Petition, FIR in respect of Sections 12, 13(1)
(b) and 13(2) of the Prevention of Corruption Act, 1988, is
sought to be quashed.

3 The grounds which have been raised to quash the FIR
is delay and that the FIR is mala fide since the Petitioners had
filed Contempt Petition against the Investigating Agency.

4 The aspect of this delay can be explained. Also that
filing of Contempt Petition by itself will not lead to the
conclusion that no offence is made out. Therefore, we are of
opinion that a case for exercise of extra ordinary jurisdiction is
not made out.

4 It is open to the Petitioners to seek a remedy of discharge and if when so applied, it will be considered on its own merits.

5 Writ Petition is disposed of.

(ARUN R. PEDNEKER,J.)

(NITIN JAMDAR,J.)