

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

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WRIT PETITION NO. 3074 OF 2018

Sayyad Mohammed Abbas Mujtahid
Hussain and Ors.

...Petitioners

Versus

The State Of Maharashtra
and Anr.

...Respondents

- Mr. Syed Shehzad Naqvi for the Petitioners.
- Mr. J.P. Yagnik, APP, for Respondent – State.

CORAM : PRASANNA B. VARALE &
S. M. MODAK, JJ.

DATE : MARCH 22, 2022.

PER COURT :

1. By way of the present Petition, the Petitioners are before this Court for seeking quashment of the first information report bearing Crime No. 198/2017 dated 23.10.2017 registered at Junnar Police Station, Pune Rural for commission of offences punishable under Sections 506 of IPC and Sections 1,2,3 and 4 of the Maharashtra Protection of People from Social Boycott (Prevention, Prohibition and Redressal) Act, 2016.

2. Vide order dated March 15, 2022 the Respondent

No. 2 – Senior Police Inspector, Junnar Police Station (Pune Rural) was permitted to file the summary report to the Competent Court of Jurisdiction and forward a communication report to the office of the Public Prosecutor within a week.

3. Today, learned APP invited our attention to the communication received by the office of the Public Prosecutor dated 23rd March, 2022, the same is taken on record and marked 'X' for identification.

4. It is submitted in the communication that in view of the inquiry, investigation carried out and Respondent No. 2 formed an opinion that the report lodged against the Petitioners is with an ulterior motive and accordingly 'B' summary report is submitted to the Sub-Divisional Officer. It is further submitted that the Respondent No. 2 is in process to submit 'B' summary report with a sanction approval from Sub-Divisional Officer, Junnar Division, Junnar.

5. In view of these facts, in our opinion, the grievance raised in the Petition no more survives. Accordingly, the Petition is disposed of with liberty

to the Petitioners in case, on submission of 'B' summary report a negative order is passed against the Petitioners, the Petitioners are at liberty to approach the appropriate forum including the judicial forum, if so advised.

(S. M. MODAK, J.)

(PRASANNA B. VARALE, J.)