

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

CRIMINAL APPLICATION (APL) NO.192 OF 2022
Santosh Ganeshrao Chapate Vs. State of Maharashtra and others

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

Court's or Judge's orders.

Shri D.P. Dapurkar, Advocate for applicant.
Shri M.K. Pathan, APP for non-applicant Nos.1 and 2.

CORAM : V.M. DESHPANDE AND
AMIT B. BORKAR, JJ.
DATE : 07th MARCH, 2022.

Heard Shri Dapurkar, learned counsel for the applicant.

2. The applicant is a public servant inasmuch as he is a Talathi against whom an F.I.R. is registered for the offence punishable under Sections 7 and 7A of the Prevention of Corruption Act, 1988.

3. After hearing the learned counsel for the applicant and after having gone through the contents of the F.I.R., wherein it has been specifically stated that in presence of *panchas* a demand was made however, sensing that there will be a trap, he refused to accept the bribe amount. In our view, this is not a case wherein F.I.R. should be quashed at the initial stage. The opportunity has to be given to the prosecution to conduct the investigation to file the charge-sheet and also prove the case against the applicant in trial. Hence, the application is rejected.

JUDGE

JUDGE