

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

CRIMINAL APPLICATION (APL) NO.1125/2018

Ramesh s/o Tulshiram Shebe and anr. .vs. State of Maharashtra through its
Secretary, Ministry for Home, Mantralaya, Mumbai and Ors.

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

Court's or Judge's orders.

Mr. J. M. Gandhi, Advocate for applicants.
Mr. T. A. Mirza, A.P.P. for non applicant nos. 1 and 2.
Mr. N. S. Khubalkar, Advocate for non applicant no.3.

CORAM : V. M. DESHPANDE & AMIT B. BORKAR, JJ.
DATED : MARCH 24, 2022.

Heard Mr. Gandhi, learned counsel for applicants.

By this application under Section 482 of the Code of Criminal Procedure, the applicants are praying that First Information Report in Crime No.0129/2016 under Sections 325, 294, 506 read with Section 34 of the Indian Penal Code registered against them with Police Station, Pusad along with charge-sheet be quashed. The report was lodged by non applicant no.2. He also submits that in fact he is the victim and he has lodged report against non applicant no.2 and that report is still pending.

It is the submission of learned counsel for the applicant that the applicants are falsely implicated in crime. To counter this submissions, learned A.P.P. has invited our attention to page no.164, which is discharge summary issued by MDR Multispeciality Hospital, in which the doctor has observed that there was a fracture and multiple bruises were

sustained by the non applicant no.2. The said certificate prima facie clearly shows that the police has not wrongly applied provisions of Section 325 of the IPC. Insofar as the truthfulness or otherwise is concerned, it will be always open for the applicants to adduce appropriate evidence before the Court during the trial. No case is made out. The application is, therefore, rejected.

JUDGE

JUDGE

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