

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 38 OF 2023

Dilip Namdeorao Londhe & others

Petitioners

Versus

The State of Maharashtra & another

Respondents

Mr. A. D. Sonkawade, Advocate for the petitioners.

Mr. S. D. Ghayal, APP for the State.

**CORAM : SMT. ANUJA PRABHUDESSAI &
R. M. JOSHI, JJ.**

DATE : 2nd FEBRUARY, 2023.

PER COURT :

1. Heard finally with the consent of learned counsel for the respective parties.

2. The petitioners herein have preferred this petition under Section 482 of the Code of Criminal Procedure to quash First Information Report No. 385/2022 registered with Supa Police Station, District Ahmednagar for offences punishable under Sections 294, 323, 452, 504, 506 read with Section 34 of the Indian Penal Code.

3. The aforesaid crime was registered pursuant to the First Information Report lodged by respondent No. 2. The respondent No. 2 alleged that the petitioners came to his tea stall and abused and threatened him. It is stated that apprehending assault at the hands

of the applicants, the respondent No. 2 entered into the room of one of his employees. Respondent No. 2 has further alleged that all the applicants abused him and threatened to cause his death.

4. Learned counsel for the applicants states that the property belongs to them and that there is no room of the employee as alleged in the First Information Report. He further states that a civil dispute is pending between the parties.

5. It may be noted that the investigation is still at preliminary stage. The question whether the property belongs to the applicants or they have trespassed into the room of the employee of respondent No. 2 is still being investigated. This is not a stage where we can interfere with the investigation. In view of this, we are not inclined to interfere and exercise discretion at this stage. Hence, petition stands dismissed.

(R. M. JOSHI)
Judge

(SMT. ANUJA PRABHUDESSAI)
Judge

dyb