

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO.2265 OF 2020

Ravi Ratanlal Jaiswal

... **APPLICANT**

VERSUS

1. The State of Maharashtra

2. The In-charge Investigation Officer,
Police Station, Purna

3. Shaikh Wasim Shaikh Harun

... **RESPONDENTS**

.....
Mr. V.S. Undre, Advocate for applicant
Mr. M.M. Nerlikar, A.P.P. for respondents
.....

**CORAM : R.G. AVACHAT AND
SANJAY A. DESHMUKH, JJ.**

DATE : 6th JULY, 2023

ORDER :

Heard. This application has been filed for quashment of F.I.R. No.323/2020 registered at Purna Police Station, District Parbhani for the offence punishable under Section 65(e) of the Maharashtra Prohibition Act, 1949 and the consequential Charge Sheet No.300/2020 filed in the Court of learned Judicial Magistrate, First Class, Purna.

2. Admittedly, the applicant held FL-II and CL-III licence No.7. The said licence was valid during the time the alleged crime

is said to have been committed. Those were the days of Pandemic Covid-19. Co-accused was found carrying some country liquor bottles. He was intercepted. He disclosed to have had got the bottles from the shop of the present applicant. Based on the said statement, the present applicant came to be involved in the present crime.

3. Close scrutiny of the police papers indicate that, except the statement of the co-accused stating to have got these liquor bottles from the present applicant, there is nothing which could be said to be a material convertible in the admissible piece of evidence. As such, it is a fit case to allow the application. Hence the order :

ORDER

(i) The Criminal Application is allowed.

(ii) F.I.R. No.323/2020 registered at Purna Police Station, District Parbhani for the offence punishable under Section 65(e) of the Maharashtra Prohibition Act, 1949 and the consequential Charge Sheet No.300/2020 filed in the Court of learned Judicial Magistrate, First Class, Purna are quashed to the extent of present applicant.

(SANJAY A. DESHMUKH, J.)

(R.G. AVACHAT, J.)

fmp/-