

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

CRIMINAL APPLICATION NO.3276 OF 2022

Syed Saber Ali s/o Khamar Ali Shah ... **APPLICANT**

VERSUS

The State of Maharashtra & ors. ... **RESPONDENTS**

.....
Mr. A.P. Gaikwad, Advocate for applicant
Mr. P.G. Borade, A.P.P. for respondents No.1 to 3
Mr. S.P. Salgar, Advocate for respondent No.4
.....

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

DATE : 24th FEBRUARY, 2023

P.C. :

The applicant has sought to quash the First Information Report with consent. Having gone through the affidavit filed by the applicant and the respondent No.4 – complainant, we are of the prima facie view that the parties to the proceedings are trying to enter into an agreement in respect of the property, which is stated to be a Wakf property. It is also stated that the applicant has criminal antecedents. We had, therefore, expressed disinclination to allow the quashment with consent. Learned counsel for the applicant, thereafter sought

leave to withdraw the application with liberty to file discharge application. Leave with liberty granted. The application stands dismissed as withdrawn.

(R. M. JOSHI, J.)

(SMT. ANUJA PRABHUDESSAI, J.)

fmp/-