

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION***

CRIMINAL WRIT PETITION NO. 5215 OF 2017

Sambhaji Subhash Shirsat & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

Mr. Laxman S. Deshmukh for the Petitioners

Mr. J. P. Yagnik, A.P.P for the Respondent Nos.1 & 2-State

Mr. Hitesh Vyas for the Respondent No. 3

PSI Mr. V. D. Jadhav from Bundgarden Police Station, Pune, is present

**CORAM : REVATI MOHITE DERE &
PRITHVIRAJ K. CHAVAN, JJ.
FRIDAY, 3rd FEBRUARY 2023**

P.C :

1 By this petition, the petitioners seek quashing of the
FIR registered vide C.R. No. 365/2017 registered with the
Bundgarden Police Station, Pune for the alleged offences
punishable under Sections 353, 352 r/w 34 of the Indian Penal
Code.

2 Learned A.P.P, on instructions, submits that during investigation, it was found that Section 353 was not applicable and hence, the said Section was dropped. He further submits that as far as Sections 352 r/w 34 is concerned, the police have filed 169 report before the learned Judicial Magistrate First Class, Pune.

3 Learned A.P.P has tendered report of the PSI Ketki Chavan attached to Bundgarden Police Station, Pune dated 22.03.2019. The photocopy of the said report is taken on record. From the said report, it appears that the police have filed a 169 report before the Magistrate Court and the Magistrate Court has released the accused on executing the PR Bond of Rs. 15,000/-.

4 Considering the aforesaid, nothing survives for consideration in the aforesaid petition. Petition is accordingly disposed of as infructuous.

PRITHVIRAJ K. CHAVAN, J.

REVATI MOHITE DERE, J.