



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

19 CRIMINAL APPLICATION NO. 988 OF 2024

PRAVIN ASHOK TRIBHUWAN

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicant : Mr. Quazi Mubbashir h/f Mr. Vinod S. Athawale

APP for Respondent/State : Mr. K.N. Lokhande

...

CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.

DATE : 18.03.2024

PER COURT :

The applicant is seeking quashment of Crime No. 440/2023 registered with police station Bidkin, District Aurangabad, for the offences punishable under Sections 354, 354A and 354B of the Indian Penal Code.

2. We have heard the learned advocate for the applicant. He submits that the allegations are improbable. The incident is alleged to have occurred in his hospital. Apart from staff, some patients were also there. It is impossible that the applicant could have indulged in an act attributed to him. He would submit that there was some dispute on account of hospital charges, prompted by that a false F.I.R. has been lodged.

3. With the limited jurisdiction which we have under Section 482 of the Code of Criminal Procedure, when the F.I.R. expressly attributes the applicant with several overt acts as described therein and there is no delay in lodging the F.I.R., in our considered view, it is not a fit case to quash the crime.

4. The Criminal Application is rejected.

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)

mkd/-