

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 889 OF 2024

Shri. Deepak Balasaheb ManeApplicant
Vs.
The State of Maharashtra & Anr.Respondents

Mr. B. G. Ligade i/b Mr. Anand S. Patil for the Applicant.
Mr. Ashish I. Satpute, A.P.P. for the Respondent-State.
Mr. Pradip Zende for Respondent No. 2-Informant.
PN.-2135 Mr. G. P. Pradhan, Shahupuri Police Station, District-Kolhapur
present.

CORAM : A. S. GADKARI AND
DR. NEELA GOKHALE, JJ.
DATE : 10th SEPTEMBER 2024.

PC.:-

- 1) Advocate Mr. Pradip Zende waives notice on behalf of the Respondent No. 2 and undertakes to file his vakalatnama on record within a period of two weeks from today.
- 2) In pursuance of the Order dated 27th August 2024, the Investigating Officer has produced before us the record of investigation.
 - 2.1) We have perused the record of investigation.
 - 2.2) The statement of Night Manager of Bhagya Lakshmi Hotel *prima-facie* indicates that, on 19th December 2023 the Applicant had infact booked Room No. 202 in the said Hotel. A photocopy of the register, maintained by the said Hotel in its regular course of business, is seized during investigation. The Manager in his statement has stated that, on 19th

December 2023 the Applicant alongwith a girl having masked her face, had been to his Hotel at about 8.00 a.m. When the Manager asked for the Aadhar Card of the said woman, she refused to give it and questioned the Applicant as to for having a breakfast why the Aadhar Card is necessary and thereafter left the place and went towards the car. The version of Manager of the said Hotel duly corroborates the statement of first informant i.e. the Respondent No. 2 with respect to the incident occurred at Bhagya Lakshmi Hotel situated at Pune-Kolhapur Road near Karad.

2.3) It thus *prima-facie* inspires confidence in the mind of this Court about the truthfulness of the version of first informant narrated in the F.I.R. At this stage we refrain ourselves from commenting upon the other pieces of evidence collected by the Investigating Agency during the course of investigation of the present crime.

3) After perusing the F.I.R. and other material available before us, we are of the opinion that, a *prima-facie* case against the Applicant is made out.

3.1) In view thereof, we are not inclined to quash the crime in question.

4) Application is accordingly dismissed.

(DR. NEELA GOKHALE, J.)

(A. S. GADKARI, J.)