



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

Criminal Application (APL) No.929/2024
(Parvinder Singh and another V State of Maharashtra and another)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. A.A. Bangde, Adv for applicants.
Ms K. Marpakwar, APP for N.A. No.1.

CORAM : Smt. Vibha Kankanwadi & Mrs. Vrushali V. Joshi, JJ
DATE : 04-07-2024.

Present application has been filed under Section 482 of the Code of Criminal Procedure ("Cr.P.C.", for short), seeking quashment of the FIR bearing Crime No.301/2024 registered with Panchpaoli Police Station, Nagpur on 30-03-2024 at the behest of non-applicant no.2 for the offence punishable under Sections 294, 323, 326, 506, 34 of the IPC.

2. Learned Advocate for the applicants would strenuously argue that the present FIR is the outcome of the dispute for the Presidentship of Gurudwara and the real incident was different for which the applicants had filed FIR vide Crime No.307/2024 with the same Police Station for the offence punishable under Sections 323, 325, 506, 34 of the IPC and also in fact communication was made to the Police Authorities giving all the details as to what exactly had happened on the day of incident. Learned Advocate for the applicants has taken us through all the documents to contend that

the present FIR against the applicants is nothing but a concocted and false version even the applicant no.1 had received the injuries in the incident and the report in respect of the same is produced at Annexure B. He has suffered fracture to the neck of 5th & 4 metatarsal of left foot.

3. If we are considering, at this stage, as to whether the application is worth issuing notice there was the FIR has been filed and whether the applicants show that no such incident as stated could have been there or on the basis of whatever FIR has been lodged no offence can be transpired. The first and foremost fact is in the FIR lodged by the present applicant no.1 i.e. Crime No.307/2024, the date, time and incident are the same as stated in the impugned FIR i.e. Cr. No.301/2024. Further offence vide Crime No.301/2024 came to be registered around the 16.49 hrs on 30-04-2024, whereas the FIR lodged by the applicant no.1 vide Cr. No.307/2024 has been registered around 20.20 hours on 31-03-2024. When there is cross case, both the cases need investigation as regards the injury report in respect of the applicant no.1 is concerned, it might be supporting his FIR and as aforesaid his FIR also needs investigation. As regards the grievance against the Police is concerned, the applicants are at liberty to take all the legal steps available to them. For the above said reasons, at this stage, no

case is made out to exercise our inherent jurisdiction under Section 482 of the Cr.P.C. to quash the FIR. Application stands dismissed at the threshold.

(Mrs. Vrushali V. Joshi, J.)

(Smt. Vibha Kankanwadi, J.)