



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

CRIMINAL APPLICATION (APL) NO. 171 OF 2024

Rajesh S/o Arun Gandhi

Vs.

State of Maharashtra, Thru. Its PSO, PS Malkapur City, District – Buldhana and anr.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. A.M. Tirukh, Advocate for applicant.
Mr. Anup Badar, APP for non-applicant/State.

**CORAM : VINAY JOSHI, AND
SMT.VRUSHALI V.JOSHI, JJ.**

DATE : 09.02.2024

Heard.

2. This is an application seeking to quash First Information Report in Crime No.269/2023 registered with Malkapur Police Station, District – Buldhana, for the offence punishable under Sections 420 and 409 of the Indian Penal Code.

3. It is the informant's case that co-accused Pankaj had business deals with him. On assurance to supply grain materials, the informant transferred him a huge sum of Rs.33,75,000/- by bank transfer and Rs.1,25,000/- in cash. However, goods were not

supplied, hence, the report against main accused Pankaj Agrawal.

4. It reveals that though the applicant was not named in the FIR, however, during the investigation, it was revealed that the applicant had some business transactions with the main accused and they used to share the profit. On such information, applicant has been implicated in the crime.

5. *Prima facie*, we do not see any material against applicant to attract criminality.

6. Issue notice to the non-applicants, returnable on **26.03.2024**.

7. Mr. Badar, learned APP waives service of notice on behalf of non-applicant/State.

8. In the meantime, investigation shall go on, but the charge-sheet shall not be filed against the applicant without obtaining leave of this Court.

(SMT. VRUSHALI V. JOSHI, J)

(VINAY JOSHI, J)