



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

CRIMINAL APPLICATION (APL) NO.375/2024

(Ajay S/o Shivhari Wakhare Vs. 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.M. Tirukh, Counsel for the applicant.

CORAM: VINAY JOSHI AND MRS.VRUSHALI V. JOSHI, JJ.
DATED : 8.3.2024.

Heard.

2. This is an application seeking to quash F.I.R. in Crime No.0399/2023 registered by non-applicant No.1 for the offence punishable under Sections 186 and 379 of Indian Penal Code read with Section 48 of Maharashtra Land Revenue Code.

3. It is the prosecution case that at relevant time applicant was found stealing minor minerals by his tractor.

4. The applicant's learned Counsel would submit that the allegations are vague and general. It is impressed that though allegedly tractor was apprehended, however, the story that applicant ran away with tractor is improper. It is submitted that there is nothing to substantiate the prosecution's case nor any material to show that applicant was apprehended on the spot.

5. Issue notice to non-applicants returnable in six weeks.

6. Mr. S.V. Narale, learned A.P.P. waives notice for non-applicant No.1.

7. In the meantime, investigation may go on but

chargesheet shall not be filed without obtaining leave of this Court.

(MRS.VRUSHALI V.JOSHI, J.)

(VINAY JOSHI, J.)