



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

4 CRIMINAL APPLICATION NO. 462 OF 2025

VINOD ANGADRAO JADHAV AND ANR
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Mr. Nitin L. Dhobale Advocate for Applicants.
Mr. S.A. Gaikwad, A.P.P. for Respondents.
...

**CORAM: SMT. VIBHA KANKANWADI AND
SANJAY A. DESHMUKH, JJ.**

DATE: 11th MARCH, 2025

ORDER :

1. Present Application has been filed for quashing the First Information Report (for short "the FIR") vide Crime No.573 of 2024 dated 25th August 2024 registered with Gandhi Chowk Police Station, Latur for the offence punishable under Sections 318(3), 3(5) of the Bhartiya Nyaya Sanhita, 2023 and Sections 4(1)(a), 4(1)(b), 4(1)(g) of Maharashtra Lotteries (Control and Tax) and Prize Competitions (Tax) Act, 1958 and Section 12(A) of the Maharashtra Prevention of Gambling Act.

2. Heard learned Advocate for the applicants and learned APP for respondents as he waives notice for both the respondents. Respondent No.2 has filed the FIR in his official capacity.

3. Learned Advocate for the applicants has submitted that the police appears to have conducted raid in which accused Nos. 1 and 2 were found with some gaming articles and the FIR states that the co-accused has made statement about the involvement of the present applicants. In fact the applicants are not at all connected with the crime. They are doing agricultural work.

4. At the outset, it can be said that the FIR is not encyclopedia. At this stage when the police party had conducted the raid, at that time gaming articles and other articles have been seized from the persons present there, thereby the police are of the opinion that original accused Nos. 1 and 2 were running the gambling on Online basis. However, it is also stated in the FIR that co-accused had made statement that the articles have been supplied by the present applicants. In specific words it is stated that the computer and other articles which accused Nos.1 and 2 were using, are in fact owned by the present applicants. Certainly investigation will have to be undertaken in

such circumstances and at this stage there is no question of exercising powers under Section 482 of the Code of Criminal Procedure. The Application stands rejected at the threshold.

[SANJAY A. DESHMUKH]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

asb/MAR25