



**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 1538 OF 2025

Randera Gulammohamed Ismail Alias
Gulam Mohammad Randhera (Vastanvi) (Died)
And AnotherApplicants

VERSUS

The State Of Maharashtra And AnotherRespondents

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Mr. P.R.Katneshwarkar, Senior Advocate i/b. Ms. A.S. Jadhav,
Advocate for Applicants
Mrs. Kalpalata Patil Bharaswadkar, APP for State
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**CORAM : NITIN B. SURYAWANSHI AND
MANJUSHA DESHPANDE, JJ.**

DATE : 05th MAY, 2025

ORDER :

1. This application filed under Section 528 of Bhartiya Nagrik Suraksha Sanhita, 2023 seeks quashing of FIR at C.R. No. 30/2025, registered with Akkalkuwa Police Station, Dist. Nandurbar under Sections 318(4), 318(3). 197(1)(d) of Bhartiya Nyaya Sanhita, 2023 and under Section 7, 4, 20A of Telegraph Act, 1885 and under Section 14(A) and 14(C) of Foreigners Act, 1946.

2. Learned Senior Advocate for applicants submits that Applicant No. 1 has expired yesterday, therefore, his name may

be permitted to be deleted from the array of applicants.

3. Permission granted. Deletion to be carried out during the course of the day.

4. Learned Senior Advocate for applicant submits that there is no material against the applicant No.2 connecting him with the crime. Even in the charge sheet a statement is made that in depth inquiry is being conducted against Accused No. 3 and 4 and permission is sought from the Trial Court to file supplementary statement under Section 193(9) of BNSS. He, therefore, submits that as on today there is no material connecting Applicant No. 2 with the present crime and therefore, FIR against applicant No. 2 is liable to be quashed and set aside.

5. Learned APP strenuously opposed the application by relying on the FIR, wherein according to her specific accusations are leveled against the applicant. She submits that since further investigation is undertaken by the prosecution, this is not a fit case for quashing the FIR.

6. In the FIR specific allegation are leveled against the applicants that applicants by providing false documents to accused No.1 and 2 helped them to prepare Aadhar Card, Pan

Card and birth certificate. Accused No.1 and 2 on the basis of these illegal documents procured the cell phone number which was being used to project themselves as Indian citizens. Applicants permitted accused No.1 and 2 to stay with them in spite of knowing that they do not have valid visa.

7. In our view, the FIR *prima facie* discloses commission of cognizable offence by the applicant. Charge-sheet is filed in the present matter and further investigation is undertaken. In this view of the matter, this is not a fit case to quash the FIR against the applicant. Application being devoid of merit is dismissed.

(MANJUSHA DESHPANDE, J.)

(NITIN B. SURYAWANSHI, J.)