



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

6 CRIMINAL APPLICATION NO.1916 OF 2025

- 1 Rajendra Vishwanath Dushing,
Age 41 yrs., Occ. Agri.,
- 2 Mirabai Laxman Dushing,
Age 60 yrs., Occ. Household,
- 3 Rajendra Rangnath Dushing,
Age 53 yrs., Occ. Agri.,
- 4 Dattu @ Dattatraya Nivrutti Dhokane,
Age 43 yrs., Occ. Agri.,
- 5 Shaharam Bhausaheb Alavne,
Age 43 yrs., Occ. Agri.,
- 6 Changdev Dnyandev Dhokane,
Age 44 yrs., Occ. Agri.,
- 7 Dattatraya Eknath Dhokane,
Age 45 yrs., Occ. Agri.,
- 8 Suresh Kisan Dhokane,
Age 65 yrs., Occ. Agri.,
- 9 Machhindra Narayan Dhokane,
Age 42 yrs., Occ. Agri.,

All applicants are
R/o Umbre, Tq. Rahuri,
Dist. Ahmednagar.

... Applicants

... Versus ...

- 1 The State of Maharashtra
Through Police Inspector,
Police Station, Rahuri,
Tq. Rahuri, Dist. Ahmednagar.
- 2 Sudarshan Kedar,
Age 32 yrs., Occ. Supply Inspector,
Tahsil Office, Rahuri,
R/o Rahuri, Tq. Rahuri,
Dist. Ahmednagar.

... **Respondents**

...

Mr. Ashraf Patel, Advocate h/f Mr. A.P. Avhad, Advocate for applicants
Mr. V.K. Kotecha, APP for respondent No.1

...

CORAM : SMT. VIBHA KANKANWADI &
SANJAY A. DESHMUKH, JJ.

DATE : 07th AUGUST, 2025

ORDER :

. Present application has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for quashment of First Information Report vide Crime No.182/2025 dated 28.02.2025 registered with Police Station, Rahuri, Dist. Ahmednagar, for the offence punishable under Sections 3 and 7 of the Essential Commodities Act, 1955.

2 Heard learned Advocate Mr. Ashraf Patel holding for learned Advocate Mr. A.P. Avhad for applicants and learned APP Mr. V.K. Kotecha for respondent No.1. No necessity to issue notice to respondent No.2.

3 Learned Advocate appearing for applicants submits that applicants are Directors of Umbre Vividh Karyakari Sahakari Sanstha Maryadit, who have been allotted two fair price shops. Informant states that when he conducted raid on 12.02.2025, he found certain discrepancies in the stock of certain items and, therefore, he says that there is violation of the rules and regulations of Essential Commodities Act. First Information Report lacks details as to the responsibility of present applicants and how or in what manner they can be said to have committed the offence and, therefore, it would be an abuse of process of law if they are asked to face the further investigation.

4 The first and the foremost fact is that the matter is still under investigation and First Information Report is not an encyclopedia. It would be a matter of investigation as to how the Board of Directors were controlling the Salesman and his activities whether knowingly or unknowingly in respect of the stock also. Nobody can shared his or her responsibility under any enactment. It would be too premature to quash the First Information Report

under such circumstance and, therefore, we do not take this to be a fit case where we should exercise our powers under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023. Application stands rejected at the threshold.

(SANJAY A. DESHMUKH, J.)

(SMT. VIBHA KANKANWADI, J.)

agd