



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.2532 OF 2019

1. Sanjay s/o Narayan Mahajan
2. Narayan Ganpat Mahajan
3. Nandlal Govind Chaudhari
4. Sandip s/o Narayan Mahajan
5. Yogesh s/o Tukaram Mahajan
6. Manohar Kashinath Patil
7. Manoj Shantaram Patil

.. Applicants

Versus

1. The State of Maharashtra
Through, Police Inspector,
Chopda City Police Station,
District Jalgaon.
2. Dattatray Suka Patil

.. Respondents

...

WITH

CRIMINAL WRIT PETITION NO.1679 OF 2019

1. Dattatray Suka Patil
2. Narendra Vitthal Patil
3. Bhatu Ananda Patil
4. Madhav Zavaru Patil
5. Rajendra Shravan Patil
6. Dagadu Suka Patil
7. Laxman Dhanraj Patil
8. Sanjay Bhavrao Patil

.. Petitioners

Versus

1. The State of Maharashtra
Through Police Inspector,
Chopda City Police Station, Jalgaon,
District Jalgaon.

2. Sanjay Narayan Mahajan,
Age: 51 years, Occu.: Social Worker,
R/o Chunchale, Tq. Chopda,
District Jalgaon.

.. Respondents

...
Mr. Paresh B. Patil, Advocate for applicants in Criminal Application No.2532 of 2019 and for respondent No.2 in Criminal Writ Petition No.1679 of 2019.

Mr. Anand I. Deshmukh, Advocate for the petitioner in Criminal Writ Petition No.1679 of 2019 and for respondent No.2 in Criminal Application No.2532 of 2019

Mr. N. R. Dayama, APP for respondent No.1/State in both the matters.

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

DATE : 16 JUNE 2025

ORDER :

. Criminal Application No.2532 of 2019 has been filed initially for quashing the FIR vide Crime No.177 of 2019 (Cr. No.70 of 2019) dated 12.05.2019 registered with Chopda City Police Station, District Jalgaon and later on, by way of amendment, for quashing the proceedings in Regular Criminal Case No.133 of 2021 (Charge Sheet No.101 of 2020), pending before the learned Judicial Magistrate First Class, Chopda, District Jalgaon for the offences punishable under Sections 143, 147, 149, 323, 427, 504, 506 of Indian Penal Code.

2. Criminal Writ Petition No.1679 of 2019 has been filed initially for quashing the FIR vide Crime No.175 of 2019 (Cr. No.69 of 2019) dated

11.05.2019 registered with Chopda City Police Station, District Jalgaon and later on, by way of amendment, for quashing the proceedings in Regular Criminal Case No.32 of 2021, pending before the learned Judicial Magistrate First Class, Chopda, District Jalgaon for the offences punishable under Sections 143, 147, 149, 324, 323, 506, 504 of Indian Penal Code.

3. Heard learned Advocate Mr. Paresh B. Patil for the applicants in Criminal Application No.2532 of 2019 and for respondent No.2 in Criminal Writ Petition No.1679 of 2019 and for respondent No.2 in Criminal Application No.2532 of 2019 and learned APP Mr. N. R. Dayama for respondent No.1/ in both the matters.

4. Upon perusal of the FIRs and the charge-sheets in both the matters, it could be gathered that these two cases are cross cases. The incident is stated to have occurred between 8.00 to 8.30 a.m. on 05.03.2019. Crime No.175 of 2019 came to be registered on 11.05.2019 around 21.53 hours, whereas Crime No.177 of 2019 came to be registered around 12.20 hours on 12.05.2019. Thus, there is delay in both the matters, which the prosecution and the informant are required to explain. There are statements of witnesses supporting both the FIRs and, therefore, when there are disputed facts coming forward before this Court, this Court would be slow in using its powers under Section 482 of

the Code of Criminal Procedure.

5. Hence, the Criminal Application No.2532 of 2019 as well as Criminal Writ Petition No.1679 of 2019 stand rejected.

[SANJAY A. DESHMUKH]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

scm