

Digitally
signed by
VAISHALI
ANIL
TIKAM
Date:
2025.07.04
14:10:14
+0530

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****WRIT PETITION NO. 4814 OF 2024**

Kondiram Namdeo Patil

... Petitioner

V/s.

The State of Maharashtra & Anr.

... Respondents

Mr. Vivek Salunke, Advocate for the Petitioner.

Smt. Prajakta P. Shinde, APP for Respondent No.1-State.

Ms. Rachana Harpale h/f. Mr. Nitin P. Deshpande, for Respondent No.3.

**CORAM : A. S. GADKARI AND
RAJESH S. PATIL, JJ.****DATE : 24th June 2025.****P.C. :**

1) By this Petition under Article 226 of the Constitution of India, the Petitioner an accused in C.R. No. 787/2021 dated 27th December 2021 registered with Tembhurni Police Station, District Solapur Rural, for the offences punishable under Sections 166A and 201 of Indian Penal Code and under Section 9 of Maharashtra Public Trust Act, 2005, is seeking to quash the said crime.

1.1) It is an admitted fact on record that, after completion of investigation of the present crime, police have filed charge-sheet on 13th January 2023 and supplementary charge-sheet on 24th May 2024.

1.2) The Learned Judge of the Trial Court vide its Order dated 8th May 2024 has taken cognizance of the said crime.

2) As the Trial Court has already taken cognizance of the said crime, in view of the ratio laid down by the Supreme Court in the case of Neeta Singh and Ors. V/s. The State of Uttar Pradesh and Ors., Special Leave to Appeal (Cri.) No.13578/2024 dated 15/10/2024, present Petition for quashing of the FIR has become infructuous. It is imperative for the Petitioner to impugn Order dated 8th May 2024 taking cognizance of the said crime.

3) In view of the above, Petition is disposed off as infructuous by reserving the statutory remedy in favour of the Petitioner for challenging Order dated 8th May 2024, taking cognizance of the crime.

(RAJESH S. PATIL, J.)

(A.S. GADKARI, J.)