

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

Writ Petition No.5576 of 2024

Maruti Babu Sutar & others	...	Petitioners
V/s.		
The State of Maharashtra and anr.	...	Respondents.

Mr. Dhananjay K. Bhosale a/w. Mr. Pranav Borgave for the
Petitioners.

Ms. Anuja S. Gotad, APP for the State.

**CORAM : SARANG V. KOTWAL
& S.M. MODAK, JJ.**

DATE : 29 January 2025.

P.C. :

This petition is for quashing of the FIR registered vide C.R. No.245/2023 at Kadegaon Police Station and resultant charge-sheet bearing R.C.C. No.159/2024 before learned J.M.F.C. Kadegaon. The principal contention of the learned counsel for the Petitioner is that for the same incident dated 16th December 2023 another FIR was lodged by one Sukhdev Sutar vide C.R. No.236/2023 at Kadegaon Police Station on 17th December 2023. There is a reference to the present Respondent No.2 in that particular FIR. In spite of that subsequently Respondent No.2 lodged a false FIR relating to same incident dated 16th December 2023 vide C.R. No.245/2023 at Kadegaon Police Station on 28th December 2023.

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He submitted that the second FIR regarding the same incident was not permissible and inspite of that the investigating agency has filed charge-sheet in both the registered offences. Prima-facie, we find substance in the submissions of learned counsel for the Petitioner.

2. Therefore, issue notice to Respondent No.2, returnable on 19th March 2025.
3. Till then the proceedings pending before the learned JMFC Talegaon, vide RCC No.159/2024 shall remain stayed.
4. Stand over to **19th March 2025**.

(S.M. MODAK, J.)

(SARANG V. KOTWAL, J)