

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO. 1259 OF 2025

WITH

INTERIM APPLICATION NO.4465 OF 2025

IN

CRIMINAL APPLICATION NO. 1259 OF 2025

Sachin Sushil Kumar Suri

...Applicant

V/s.

State of Maharashtra

...Respondent

Mr. Zubin Behramkamdin, Sr. Advocate a/w Mr. Nikhil Kohli i/b
Mr. Anukul Seth and Ms. Sakshi Kashyap for the Applicant.

Mr. V. B. Konde Deshmukh, Addl. P. P. for Respondent-State.

Mr. Sangale, API, Unit-I, DCB, CID, Mumbai

**CORAM : REVATI MOHITE DERE &
SANDESH D. PATIL, JJ.**

DATE : 4th DECEMBER, 2025.

P. C. :

1. Heard Mr. Zubin Behramkamdin, learned Senior Counsel for the Applicant.

2. By this Application, the Applicant seeks quashing of the F.I.R. registered vide C.R. No. 478 of 2025 with the Dongri Police Station, Mumbai, for the alleged offences punishable under Sections 7(3) and 20(2) of the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 and Section 223 of the Bharatiya Nyaya Sanhita, 2023.

3. The principal submission of the learned Counsel for the Applicant is that none of the Sections as alleged in the F.I.R. are cognizable and as such the Police could not have registered an F.I.R.

4. Mr. V. B. Konde Deshmukh, learned Addl. P. P. does not dispute the fact, that the aforesaid Sections are non-cognizable. He admits that since the said offences are non-cognizable, F.I.R. could not have been registered.

5. Perused the Sections alleged in the F.I.R. Admittedly, all the said Sections are non-cognizable.

6. In view of the aforesaid, the C.R. No.478 of 2025 registered with Dongri Police Station, Mumbai is hereby quashed and set aside. Needless to state, that since the offences are non-cognizable, the police to take appropriate steps vis-a-vis the said non-cognizable offences in accordance with law.

7. The Application is allowed and disposed of in view of the above.

8. In view of the order passed in the aforesaid application,

nothing survives for consideration in Interim Application No. 4465 of 2025. Hence the same also stands disposed of.

9. Needless to state that, the Applicant is at liberty to take out appropriate proceeding before the appropriate Forum/ Authority vis-a-vis the reliefs sought in the Interim Application.

(SANDESH D. PATIL, J.)

(REVATI MOHITE DERE, J.)