



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APL) NO. 1123/2024

(Abdul Ayub Nasir Sheikh Vs. State of Maharashtra & anr.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. S.A. Mohta, Advocate for applicant.
Mr. G. S. Umale, APP for non-applicant/State.

CORAM: NITIN B. SURYAWANSHI AND
PRAVIN S. PATIL, JJ.

DATED : 13/03/2025

Heard.

2. By this application filed under Section 482 of the Code of Criminal Procedure, applicant seeks quashing SCC No.844/2023 pending on the file of Judicial Magistrate First Class, Nagbhid, Dist. Chandrapur arising out of First Information Report ("FIR") registered at Crime No. 99/2023 with Police Station Nagbhid, Tq. and Dist. Chandrapur for the offence under Sections 188, 273 of the Indian Penal Code read with Section 59(1) of the Food Safety and Standard Act, 2006.

3. Heard learned counsel for applicant and learned APP for non-applicant/State.

4. The case of the applicant is squarely covered by the decision rendered by this Court in Criminal Application (APL) Nos.198/2024 and 199/2024 dated 26.07.2024, by

which this Court quashed the FIR in question against co-accused Mohammed Sahil s/o Mohammed Rafiq Memom, Vaibhav s/o Bhaskar Bhoyar, Sahil Matin Pathan, and Sachin s/o. Ramdas Salve by a detailed order. The observations of this Court while allowing both applications are applicable to the facts of the present case and on the ground of parity, the applicant deserves the same relief.

5. For the reasons stated in the order passed in Criminal Application (APL) Nos.198/2024 and 199//2024 dated 26.07.2024, application is allowed. We hereby quash and set aside SCC No.844/2023 pending on the file of Judicial Magistrate First Class, Nagbhid, Dist. Chandrapur arising out of FIR registered at Crime No. 99/2023 with Police Station Nagbhid, Tq. and Dist. Chandrapur for the offence under Sections 188, 273 of the Indian Penal Code read with Section 59(1) of the Food Safety and Standard Act, 2006, to the extent of applicant.

6. Application stands disposed of in above terms.

(PRAVIN S. PATIL, J.)

(NITIN B. SURYAWANSHI, J.)