



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

CRIMINAL APPLICATION (APL) NO. 1933 OF 2025

[Ramesh S/o Yelisha Natar **vs.** Central Bureau of Intelligence Anti-Corruption
Branch, Nagpur]

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

Court's or Judge's orders

Mr. V. K. Nankani, Advocate for the applicant
Mr. P. K. Sathianathan, Advocate for the non-applicant

CORAM: MRS. VRUSHALI V. JOSHI, J.

DATED : 24-04-2026.

The applicant has filed this application to quash and set aside the proceedings, charge-sheet and the First Information Report (FIR) registered against him.

2. The proceedings are before Special Court in Special Case A.C.B. No. 13/2025 in FIR of 2009 and charge-sheet for the offences punishable under Sections 420 and 120-B of the Indian Penal Code (IPC) along with offences under the Prevention of Corruption Act, which are not applicable to this applicant.

3. The prosecution case in brief is that there was MOU executed between WCL company and DGR company. The DGR company has provided tippers. The allegations are made against this applicant that he has provided tippers knowingly that he is not eligible to provide the tippers and the rent of tipper was at the higher side than the civilian tipper and, therefore, the applicant has committed offence punishable under Section 420 along with Section 120-B of the IPC.

4. Learned counsel for the applicant has brought to the notice of this Court that since 2009, FIR is registered and the trial is pending before the Special Court. All other accused persons are already discharged against whom the other offences are registered. This applicant has filed discharge application before the trial Court. As the charge was framed, his discharge application was rejected. Thereafter this applicant has filed the application to set aside the proceedings against him before the trial Court. As all the accused persons are discharged, the trial is pending against this applicant only. The applicant is 80 years old. He is an Ex-serviceman and attached to DGR company. As no offence is made out against this applicant, he prayed to set aside the proceedings against the applicant.

5. Learned counsel for the non-applicant has stated that the applicant is an Ex-serviceman and though knowing that he is not eligible to provide tippers to WCL company, he has provided the same and cheated WCL. Hence, offence is made out against the applicant. He prayed to reject the application.

6. Heard both sides. It appears that the applicant has approached this Court at belated stage. The reasons given by the applicant that the discharge applications of other co-accused were pending and, therefore matter was pending for a same stage. The name of this applicant was not mentioned in the FIR, however, charge-sheet was filed against this applicant. When the applicant has applied for discharge, the charge was already framed. From the

record it shows that he is running from pillar to post in this case. The only allegations against this applicant are about providing tippers to WCL. As other co-accused are already discharged, there is no question of attracting offence under Section 120-B of the IPC. The applicant has provided the tippers to the company. As the MOU was executed between WCL and the company, there is no any direct connection of this applicant with WCL company. *Prima facie* it appears that no offence is made out against this applicant under Section 420 of IPC, the case is made out to set aside the proceedings filed against this applicant under Section 420 of the IPC pending before the Special Court. The application is allowed. The proceedings viz. Special Case A.C.B. No. 13/2025 pending before learned District Judge-1, Amravati are set aside.

7. As the trial is pending since 2011 and considering the age of the applicant, costs of Rs. 5,000/- to be paid by the applicant to the Public Welfare Account maintained with Union Bank of India, High Court Branch, Civil Lines, Nagpur bearing Account No. 129712010001014 and IFSC Code UBIN0812978 and to produce the receipt thereof on record within two weeks.

8. The application stands disposed of.

JUDGE