

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

CRIMINAL WRIT PETITION NO. 2152 OF 2025

Rohan Manohar Patil & Anr.

..Petitioners

Versus

The State of Maharashtra & Anr.

..Respondents

Ms. Bhagyasha Kurane i/b. Mr. Vijay Kurle for Petitioners.
Mr. J. P. Yagnik, APP for State/Respondent.

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

DATE : 24 APRIL 2025

PC :

1. This petition is filed for quashing of the proceedings arising out of C.R.No.303 of 2022 registered at Naya Nagar police station, on 10.05.2022, under sections 420, 406, 341 and 506 r/w. 34 of the I.P.C. The F.I.R. is lodged by the Respondent No.2.

2. The gist of the F.I.R. is that the informant was conducting a business at Mira Road known as Shivam Wine Shop. The present petitioners and other accused Vaibhav Patil and the informant started a partnership. Vaibhav Patil was representing the

petitioners and himself. The informant had 45% share, Vaibhav Patil had 5% share, Mandar Sawant had 25% share and Vijay Ghate had 25% share. The allegations are that the money received in the business was actually deposited in another bank account of the entity of the same name. The amount which was deposited in the informant's entity was transferred illegally to another account. Through this *modus operandi* the offence was committed.

3. Learned counsel for the Petitioners invited our attention to the order dated 31.10.2023 passed in Criminal Writ Petition No.2424 of 2023 whereby another Division Bench of this Court had admitted the petition preferred by the co-accused challenging the proceedings arising out of the same F.I.R. Even the interim relief of staying the prosecution against them was granted. Learned counsel submitted that the allegations against the present petitioners are similar and, therefore, this petition be admitted and interim relief be granted.

4. Considering these submissions, it is necessary to hear the other side. Learned counsel for the Petitioners has made out a case

for grant of ad-interim relief.

5. Hence, the following order:

O R D E R

- i) Issue Notice to the Respondent No.2, returnable on 10.07.2025.
- ii) Stand over to 10.07.2025.
- iii) Till then, the Trial Court shall not proceed against the Petitioners.

(S. M. MODAK, J.)

(SARANG V. KOTWAL, J.)