

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

CRIMINAL APPLICATION NO. 618 OF 2016

Shri Ajit Deshmukh & Ors. ..Applicants

v/s.

The State of Maharashtra & Anr. ..Respondents

Mr. Shekhar Jagtap a/w. Mr. Akshay Kapadia i/b. J. Shekhar & Co. for the Applicant.

Mr. K.V.Saste, APP for the Respondent No.1.

Mr. Chaitanya Pendse i/b. Mr. Amit Ashok Karva for the Respondent No.2.

**CORAM : A.S.OKA & ANUJA PRABHUDESSAI, JJ.
DATED : 03 MARCH, 2017**

P.C.

1. Heard the learned Counsel appearing for the Applicants, the learned APP for the State and the learned Counsel appearing for the second Respondent.

2. Perused the complaint, on the basis of which impugned order under sub-Section (3) of Section 156 of the Code of Criminal Procedure, 1973 has been passed. Prima facie, the complaint makes out no case of commission of offence against the Applicants.

Moreover, there are no assertions as regards the compliance of sub-Section (1) and (3) of Section 154 of Cr.P.C. The entire dispute appears to be about the mutation entries made in the revenue records.

3. Accordingly, we issue Rule. The Advocate on record for the second Respondent waives service. The learned APP waives service for the State. Ad-interim relief granted on 9th June, 2016 shall continue as interim relief.

(ANUJA PRABHUDESSAI, J.)

(A.S.OKA, J.)