

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

**CRIMINAL REVISION APPLICATION NO. 488 OF 2017**

Mahendra Parbatrao Sapkal and Ors. ...Applicants

vs.

The State of Maharashtra and Anr. ...Respondents

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Ms.Sonal Parab a/w Mr.Aashish Choure i/b. Mr.Rajeev Sawant  
and Associates - Advocate for Applicants.

Mr.H.J.Dedhia - APP for Respondent No.1 - State.

Mr.Chandraprakash K. Tripathi-Advocate for Respondent No.2.

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**CORAM : S. M. MODAK, J.**

**DATE : 4<sup>th</sup> JANUARY 2024**

**P. C. :-**

1. Heard learned Advocate for the Applicants - Accused. They have been named as Accused persons in the FIR dated 18<sup>th</sup> December, 2012 for the offences punishable under Sections 166, 167 read with 34 of Indian Penal Code, 1860 ["IPC"] and under Section 7 of the Prevention of Corruption Act, 1988 ["PC Act"]. The FIR is lodged at the instance of present Respondent No.2. The offence is investigated by Economic Offences Wing - C.I.D.-Mumbai and they have submitted a report recommending 'B' Summary dated 24<sup>th</sup> April, 2013. (Page No.75). Initially, it was submitted to the Court of Additional Chief Metropolitan Magistrate and then it was transferred to the Court of

Additional Sessions Judge - City Civil Court - Mumbai. He passed the order on 29<sup>th</sup> June, 2016 (Page No.157). It is in two parts. It is as follows :-

- (a) The trial Court accepted the request for dropping Section 7 of the PC Act.
- (b) He has remanded back the matter to the trial Court for the offence under Sections 166 and 167 of IPC.

2. Second part of the order is challenged before this Court. Respondent No.2 wants to file compilation of the documents. Let it be supplied to other side in advance.

3. Stand over to **18<sup>th</sup> January, 2024**.

4. Interim relief granted earlier to continue till next date.

**[S. M. MODAK, J.]**