

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 587 OF 2015

1. Abhimanyu Keraba Borate
Age : 48 Yrs., Occ. : Service.
2. Sayu. Suvarna Abhiman Borate
Age : 42 Yrs., Occ. : Household.
Both R/o : Sadaphule Vasti,
Jamkhed, Tq. Jamkhed,
Dist. Ahmednagar.
3. Bapu Keraba Borate
Age : 60 Yrs., Occ. : Agriculture.
4. Sahebrao Keraba Borate
Age : 43 Yrs., Occ. : Agriculture.
5. Nandabai Parmeshwar Borate
Age : 42 Yrs., Occ. : Agriculture.
6. Sojarabai Bapu Borate
Age : 55 Yrs., Occ. : Agriculture.
7. Anita Sahebrao Borate
Age : 37 Yrs., Occ. : Agriculture.
8. Ashok Bapurao Borate
Age : 31 Yrs., Occ. : Agriculture.
All R/o : Pimpalgaon Alwa,
Tq. Jamkhed, Dist. Ahmednagar. **APPLICANTS**

V E R S U S

1. The State of Maharashtra

2. Hanumant Narayan Jadhav

Age : 30 Yrs., Occ. : Agriculture,

R/o : Chaphadgaon, Tq. Karjat,

Dist. Ahmednagar.

.... **RESPONDENTS**

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Mr. P.B.Shirsath, Advocate for Applicants.

Mr. D.V.Tele, A.P.P. for R.No.1 - State.

Mr. Balaji Shinde h/f Mr. V.P.Latange,

Advocate for R.No. 2.

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CORAM : V.M.DESHPANDE, J.

DATE OF JUDGMENT : 28th JULY, 2015

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ORAL JUDGMENT :

1. Rule. Rule is made returnable forthwith. Heard finally by the consent of the learned counsel for the parties.

2. Heard Mr. P.B.Shirsath, learned counsel for the applicants, Mr. D.V.Tele, learned A.P.P. for Respondent No. 1 – State and Mr. Balaji Shinde holding for Mr. V.P.Latange, learned counsel for Respondent No. 2.

3. By the present application u/s 482 of the Code of Criminal Procedure, applicants pray for quashing of R.T.C. No. 29/2010 filed before the Judicial Magistrate First Class, Karjat for the offences punishable u/s 494,109 read with 34 of the Indian Penal Code.

4. In the Complaint, applicants are shown as accused Nos. 15,16,19,17,23,20,18 and 21.

5. According to the complaint, accused No. 1 Savita Ankush Sontakke has lodged F.I.R. against the complainant Hanumant Jadhav with police station Jamkhed. Said case is culminated in Criminal Case No. 88/2008 and the case is pending in the said Court. It is alleged in the complaint that the complainant Hanumant and accused No. 1 Savita are still husband and wife. According to the complaint, in spite of that accused No. 1 married with accused No. 2.

6. Perused the Complaint. The allegations made against the present applicants are most general in nature that they have attended the marriage between accused Nos. 1 and 2 and they are responsible for fixing the said marriage.

There are no specific allegations against any of the present applicants. In that view of the matter, I am of the considered view that the continuance of the proceedings R.T.C.No. 29/2010 against the present applicants is nothing but abuse of process of law.

7. Hence, I pass the following order.

ORDER

- (i) Criminal Application No. 587 of 2015 is allowed.
- (ii) Criminal Complaint bearing R.T.C. No. 29/2010 pending on the file of the Judicial Magistrate First Class, Karjat stands dismissed *qua* the present applicants only.
- (iii) With these observations, present Criminal Application is disposed of.

[V.M.DESHPANDE, J.]