

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

CRIMINAL APPLICATION NO. 592 OF 2014

Arvind S. Kamble & Ors.

..Applicants

v/s.

State of Maharashtra & Anr.

..Respondents

Mr. P.G.Sarda for the Applicants.

Mr.S.S.Gadve i/b. Vijay Killedar for the Respondent No.2

Mr. F.R.Shaikh, APP for the Respondent/State.

CORAM : RANJIT MORE &

SMT. ANUJA PRABHUDESSAI,JJ.

DATED : FEBRUARY 04, 2015.

P.C.

1. Heard learned Counsel appearing for the respective parties.

Rule.

2. This application is filed under the provisions of Section 482 Cr.P.C. for quashing the proceeding of the FIR No. 135 of 2014 registered with Vijapur Naka Police Station, Solapur against the applicants for offence p.u.s. 420 r/w. 34 of IPC, at the instance of respondent no.2. We have gone through the complaint. Perusal of the same discloses that marriage of respondent no.2's daughter

Sheetal was fixed with the applicant no.3 Anand and it was to be solemnized on 5.3.2014. The respondent no.2 therefore proceeded with the preparation of the marriage, namely printing of invitation cards, booking of marriage hall, purchase of clothes and gold etc. The applicant nos.1, 2, 4 , 5 and 6 who are the relatives of the applicant no.3 called off the marriage. The respondent no.2 therefore alleges that because of this he suffered economical loss and he is also defamed in the society.

3. Reading of the entire complaint does not show satisfaction of ingredients of the offence of cheating. If the respondent no.2 has suffered financial loss, he is at liberty to file recovery suit or suit for damages. However, the complaint in the present form is not maintainable.

4. In the light of the above application succeeds. Rule is made absolute in terms of prayer clause (b). The proceedings of FIR No.135/2014 registered with Vijapur Naka Police Station, Solapur for offence under section 420 r/w.34 IPC are quashed and set aside.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)