

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

CRI. WRIT PETITION NO. 279 OF 2015

Mr. Rajabali Dudhnath Mishra & Anr. ... Petitioners.

V/s.

The State of Maharashtra & Others. ... Respondents.

Mr. Ashok Kumar Dubey i/by Savj Law Solutions, Advocate for the Petitioners.

Mrs. P. P. Bhosale, APP for the State.

CORAM : M.L.TAHALIYANI,J.

DATE : 06th APRIL, 2015

P.C. :

1 Heard the learned Advocate Mr. Ashok Kumar Dubey for the Petitioners and learned APP for the State.

2 Perused the complaint on the basis of which a process has been issued against the petitioners for the offence punishable under section 500 of the Indian Penal Code. The complaint, prima facie, shows that a case is made out against the petitioners for the offence under section 500 of the IPC. The petitioners had levelled wild allegations against the respondent nos. 2 and 3. Respondent no. 2 in her complaint before the Magistrate has stated that she was married to the deceased Jatashankar Mishra after taking consent of his

earlier wife Mrs. Shyamadevi Mishra as Mrs. Shyamadevi was medically found unfit to conceive. Respondent Nos. 3, original complainant no.2, is the daughter of Respondent No.2. It is alleged that the petitioners have labelled the Respondent No. 2 as maid servant of deceased Jatashankar and have made allegations that the respondent no.3 was not a daughter of the deceased - Jatashankar. This fact, prima facie, made out a case against the petitioners for offence under section 500 of the Indian Penal Code.

4 I do not find any substance in the petition for quashing. Petition is summarily dismissed.

(JUDGE)

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