

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.407 OF 2015

Shri Manojkumar Manikchand Parakh ..Petitioner.

Versus

Senior Inspector of Police,
Vashi Police Station & Anr. ..Respondents.

Mr. U.P.Warunjikar with Mr. Akhlaque M.S. Solkar and Ms. Mayura Maru, advocates for petitioner.
Mrs. S.V.Sonawane, APP for the State.

Coram : RANJIT MORE &
V. L. ACHLIYA, JJ.
Date : **24th AUGUST, 2015.**

P. C. :

This petition is filed for quashing of the F.I.R. No.445 of 2014 pending on the file of learned Judicial Magistrate First Class Vashi at Belapur, Navi Mumbai registered against the petitioner at the instance of Ms. Shweta H. Patel for the offences punishable under Sections 376, 377, 385, 323, 313, 417, 328, 504, 506(2) of the Indian Penal Code, 1860.

2 Mr. Warunjikar the learned counsel for the petitioner submits that the complainant on one hand alleges to have married

with the petitioner and on the other hand she makes allegations under Sections 376 and 377 of the Indian Penal Code, 1860 against the petitioner. He also submits that F.I.R. against the petitioner is lodged on 14.11.2014 and the incident in question alleged to have committed in the year 2007.

3 We are not impressed by the submissions made by Mr. Warunjikar learned counsel for the petitioner. We have gone through the F.I.R. F.I.R. prima-facie discloses commission of cognizable offence which needs to be investigated. Delay in lodging the F.I.R. simplicitor cannot be the ground for quashing the same. We, therefore, not inclined to entertain this petition. Petition, accordingly, stands dismissed.

[V. L. ACHLIYA, J.]

[RANJIT MORE, J.]