

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

CRIMINAL APPLICATION NO. 399 OF 2015

Dr. Joseph Wilfred Amrit & Ors. .. Applicants

v/s.

State of Maharashtra
through Bhandup Police station & Anr. ..Respondents

Mr. Ganesh K. Sovani for the applicants
Mr. PG. Badole for respondent no.2.
Mrs. M.H. Mhatre, APP for the respondent State

**CORAM: RANJIT MORE &
SMT. ANUJA PRABHUDESSAI, JJ.
DATED: 29th APRIL, 2015.**

P.C.

1. Learned Counsel appearing for applicants seeks leave to amend so as to correct the Section mentioned in the application. Leave is granted. Necessary amendment shall be carried out forthwith.

2. Heard learned Counsel for the respective parties. This application is filed under the provisions of Section 482 of the Cr.P.C. for quashing the subject FIR bearing C.R. No.I-353

registered with Bhandup Police Station, Mumbai. The said FIR is registered against the applicants at the instance of respondent no.2 for the offence punishable under Section 4 of the Dowry Prohibition Act, 1961 and Sections 406, 420 r/w 34 of the IPC.

3. We have perused the FIR, copy of which is annexed at page 33 to the petition. Perusal of the same *prima-facie* discloses commission of cognizable offence. The defences raised by the applicant cannot be gone through at this stage. The delay in lodging the FIR also cannot be a ground for quashing the FIR.

4. We, therefore, are not inclined to entertain this application. The applicants, however, are at liberty to file discharge application before the trial Court after charge-sheet is filed. Mr. Sovani, learned Counsel for the applicants makes a statement that the applicants would remain present before the concerned Court on 12th May, 2015 for the purpose of filing the charge-sheet. Mrs. Mhatre, learned APP having taken instructions from the concerned

Officer, states that she has no objection. Statement is accepted.

5. The Criminal Application is disposed of in the above directions.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)