

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL APPLICATION NO. 889 OF 2014

Bharat Mavji Shah .. Applicant

Versus

The State of Maharashtra & Anr. .. Respondents

Mr. Rishi Bhuta for the applicant
Mr. Ajay Patil, APP for the respondent-State.

CORAM:-M.L. TAHALIYANI,J.

DATED : -05/01/2015

P.C.

Heard the learned counsel for the applicant and learned APP for the respondent-State.

2 Perused the charge-sheet. The charge against the applicant is only for the offence punishable u/s 506 (2) r/w 34 of IPC. The applicant is accused of offence of criminal intimidation along with accused No. 3 Khalid aged about 23 years old. The accused No. 1 Wadilal Gada is accused of the offences punishable u/s 376 and 425 of IPC. It is alleged that the accused had indulged into sexual intercourse with the complainant by deceiving her

inasmuch as he had told the complainant that he had divorced his first wife. As already stated the applicant is facing trial for the offence punishable u/s 506(2) r/w 34 of IPC. I have gone through the statement of complainant-victim Smt. Chandrika Gunshi Shah. She has not made any allegations of rape or abetment against the applicant. The only allegation against the applicant is the offence of criminal intimidation. The allegations made in the complaint are sufficient to make out a *prima facie* case against the applicant for the offence punishable u/s 506(2) r/w 34 of IPC.

3 I do not find any merit in the present application. The application stands dismissed.

(JUDGE)

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