

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL APPLICATION NO. 1049 OF 2015

Harmeetsingh Manmohansingh Vadhera and othersApplicants

V/s.

The State of Maharashtra and othersRespondents

Ms. Ratna R. Jaiswal for Applicant

Mr. Arfan Sait APP for the State.

CORAM : SMT. SADHANA S. JADHAV, J.

DATED : OCTOBER 13, 2015.

PC :

Heard. Prayers in the present application are as follows.

“(a) That this Hon'ble Court be pleased to wipe out the section 376 (A) & 377 of IPC, 1908 from the Session Case No. 609 of 2014 under C.R. No. 67 of 2014 registered by Antop Hill Police Station i.e. the Respondent No. 2 against the Applicants under sections 498 (A), 376 (A), 377, 323, 427, 406, 504, 506 & 34 of IPC, 1908 on the complaint of wife of the Applicant No. 1 i.e. the Respondent no. 3 herein;

(b) That this Hon'ble Court be pleased to delete the name of the Applicants No. 2 & 3 from the Session Case No. 609 of 2014 under C.R. No. 67 of 2014 registered by Antop Hill Police Station i.e. Respondent No. 2 under sections 498 (A), 377, 323, 427, 406, 504, 506 & 34 of IPC, 1908 on the complaint of wife of the Applicant no. 1 i.e. the Respondent no. 3 herein and further the Applicants No. 2 & 3 may be discharged from the Sessions Case No. 609 of 2014;

(c) Pending the hearing and final disposal of this Application, that this Hon'ble Court be pleased to stay the trial of the Session Case no. 609 of 2014 under C.R. No. 67 of 2014 pending before Session Court Room no. 34 of the Hon'ble Sessions Court, Bombay.”

- 2) Learned APP upon instructions submits that trial has commenced. The substantive evidence of the complainant has been recorded. At this stage, there is no question of discharging the accused from the case.
- 3) In view of this, application, being sans merits, stands rejected.

(SMT. SADHANA S. JADHAV, J.)