

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 5006 OF 2015

SHRI NANDRAM GANPAT GORE AND ORS
VERSUS
THE STATE OF MAHARASHTRA & ORS

...
Advocate for Applicants : Sapkal V.D.
APP for Respondents: Mr.S.D.Ghayal
Advocate for Respondents : Mr.Jadhavar Santosh S. for R.
...

**CORAM : A.V.NIRGUDE &
INDIRA K. JAIN, JJ
DATED : 8TH JANUARY,2016**

PER COURT :-

The accused in Crime No.228/15 registered with Kotwali police station of Ahmednagar have filed this application for quashing the FIR. The following allegations are made in the FIR.

2] The complainant stated that she was working as teacher in a school which was established by the applicants. She stated that she agreed to work as teacher on salary of Rs.7000/- p.m. but the applicants paid her only Rs.2500/-p.m. She continued to work in this fashion for next three years. Thereafter, in April, 2015, she alleged that the applicant threatened her that unless she pays Rs.25 lakhs to the applicants, her services would be discontinued and other teachers would be engaged in her place. She further alleged that on 14/7/2015, applicants threatened her and her colleague that they

would cut off their limbs if they enter college premises. She further alleged that she was forced to write resignation letter.

3] The question is whether any offence is made out by complaint. We found that the last mentioned threat allegedly given by petitioners would amount to offence punishable u/s 504, 506 of IPC. We also found that the demand of Rs.25 lakhs with accompanying threat that the complainant would lose her job, would amount attempted extortion, which is punishable u/s 384 r.w. 511 of IPC. We do not find that offence punishable u/s 420 of IPC is made out by complaint. With these observations application stands dismissed. The learned Magistrate shall take note of our observations and proceed with the prosecution.

4] After perusal of the complaint, we are of the view that offence punishable u/s 509 of IPC is not made out therefore, the investigating officer should take note of our observations and file charge sheet accordingly.

[INDIRA K. JAIN,J]

(A.V.NIRGUDE,J.)

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