

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

CRIMINAL APPLICATION NO. 6931 OF 2015

Pralhad s/o Arjun Kale and anr.

...Applicants

VERSUS

The State of Maharashtra & anr.

...Respondents

.....
Shri P.V.Ambade, advocate for applicants
Shri K.S.Patil, A.P.P. for respondent/State
.....

CORAM : A.V.NIRGUDE

AND

INDIRA K.JAIN, JJ.

DATED : 25th February, 2016

ORDER :

- 1] Heard learned counsel for the applicants.
- 2] Issue notice to respondents. Learned A.P.P. waives service of notice for respondent no.1/State. No notice is issued to respondent no.2.
- 3] This application seeks quashing of F.I.R. resulted into registration of Crime No. 74 of 2015 of Ambajogai City police station. The complaint was lodged on 28.8.2015 but the incident occurred on 8.7.2015. The complaint alleged that the incident took place outside the Collector office of Ambajogai. She was abused and her modesty was outraged by the applicants and others.
- 4] No doubt there is delay in filing the complaint but it is clear from the circumstances that on 8.7.2015 some incident took place

between the parties because of which complainant made a complaint to police but the police did not take cognizance and registered the complaint as non-cognizable offence. Rather belatedly a detail complaint was filed.

5] It may be stated that the complaint now lodged is an exaggeration of the incident that took place on 8.7.2015. It can also be said that probably on that day some altercation took place between the parties but today we cannot set aside the complaint altogether. It is a matter of trial now. We cannot hold that this complaint is completely false and though there is enmity between the parties we cannot hold that this was a revengeful complaint.

6] The application is dismissed.

[INDIRA K.JAIN, J.]

[A.V.NIRGUDE, J.]

dbm/crap6931.15