

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR.**

CRIMINAL APPLICATION (apl) No. 24 OF 2014

Mohammad Shayed Rafeek s/o Mohammad Shafi & ors.

v.

State of Maharashtra & anr.

Office Notes, Office Memoranda of Coram
appearances, Court's orders or directions
and Registrar's orders.

Courts's or Judge's orders

**Coram : B.P .Dharmadhikari and
V.M.Deshpande, JJ.**

Date : 23rd FEBRUARY, 2016.

Brother-in-law, sister-in-law and second wife of Mohammad Nadeem Ashfaq, who is accused no. 1 in Crime No. 283/13, are before this Court.

Crime No. 283/13 is registered on the basis of report lodged by non-applicant no. 2 Nazima Tahsin wife of Mohammad Nadeem. The crime registered against Mohammad Nadeem and the present applicants is for the offence punishable under Section 498-A read with Section 34 of Indian Penal Code.

Heard learned counsel Shri Qazi for the applicants, Advocate Bhise learned counsel representing the first informant/non-applicant no. 2 as well as Shri Thakare, learned APP for the State in extenso. With their able assistance, we have gone through the first information

report.

The first information report, if seen minutely, would reveal that the entire allegations are made by the non-applicant no. 2 against her husband Mohammad Nadeem, who is not before this Court. The assertions made against the present applicants in the F.I.R. are most general in nature and, in our view, learned counsel for the applicants is right in making a statement that no offence is made out against them for the offence punishable under Section 498-A read with Section 34 of Indian Penal Code.

In that view of the matter, F.I.R. bearing Crime No.283/13 registered at police station Frazerpura, Amravati, stands quashed *qua* present applicants. The F.I.R. shall continue against accused no. 1 Mohammad Nadeem. Needless to mention, during the course of investigation, if the police authorities find any other material against the present applicants in respect of other offence, the police authorities can take suitable steps in that behalf. With this, the criminal application stands allowed and disposed of.

JUDGE

JUDGE

/TA/