

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (APL) NO. 451/2016.

Rohini Ramakant Gaikwad

-VERSUS-

The State of Maharashtra and another.

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

Court's or Judge's Orders

CORAM : B. P. DHARMADHIKARI
& A.S. CHANDURKAR, JJ.

DATE : SEPTEMBER 27, 2016.

Heard Shri A.M. Tirukh, learned Counsel
for the Applicant and Ms. M.H. Deshmukh, learned
A.P.P. for non-applicant no.1. None appears for non-
applicant no.2 – complainant even today.

2. There was no appearance even on earlier
date i.e. 08.09.2016. It appears that non-applicant
no.2 is served some time in the month of August,
2016.

3. Reply affidavit filed on behalf of non-
applicant no.1 shows that after due verification no case
could be found against the present applicant.

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4. Learned counsel for the applicant invites attention to report as lodged to urge that the basic ingredient of relationship of applicant with complainant is not satisfied in the matter.

5. In view of the disclosure on affidavit by the non-applicant no.1, we find substance in the contentions of the learned counsel for the applicant.

6. As no case is made out against the present applicant, the cognizance of FIR against her is quashed and set aside. The said FIR bearing No. 109/2016 dated 06.05.2016 registered with the Police Station Ramdaspath, Akola under Section 498A, 323 and 506 of Indian Penal Code, shall however continue against other accused mentioned therein, except the present applicant.

7. Criminal Application is thus, partly allowed and disposed of. No costs.

JUDGE

JUDGE

Rgd.

CERTIFICATE

I certify that this judgment/order uploaded
is a true and correct copy of original signed
judgment/order.

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Pvt. Sec.