

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 683 OF 2017

Sau. Shalaka Shrikar Paranjape
@ Shalaka Ramesh Oak
(Maiden Name)

.....Petitioner

V/s.

The State of Maharashtra & Anr.Respondents

Mr. Nitin Sejpal, Advocate for the petitioner.

Ms. M.H. Mhatre, APP for State, respondent no.1.

Mr. A.R. Gole, Advocate for respondent no.2.

**CORAM :- SMT. V.K. TAHILRAMANI, &
SANDEEP K. SHINDE, JJ.**

DATE :- 17th JULY, 2017.

P.C. :-

1. Heard learned Counsel for the petitioner, learned APP for State and learned Counsel for respondent no.2 who is the husband of the petitioner.

2. Rule. By consent, Rule is made returnable forthwith and the matter is heard finally.

3. The petitioner is an accused in C.R. No. 129 of

2015 of Naupada Police Station, Thane. The said case is under Sections 307 and 309 Indian Penal Code. In the said case, investigation is over and chargesheet has been filed. It is numbered as Sessions Case No. 108 of 2016 and is pending before the Sessions Court, Thane. The present petition has been preferred for quashing the said FIR and the proceedings relating thereto.

4. It is the prosecution's case that, the petitioner slit the throats of her two minor children and thereafter tried to commit suicide by cutting her wrist.

5. The Learned Counsel for the petitioner submitted that, there was a dispute between the petitioner and her husband and on account of matrimonial dispute she was upset, hence the incident occurred. He submitted that the dispute has been amicably settled between the petitioner and her husband and both the children are now residing with the husband.

This cannot be a ground for quashing the said FIR. The petitioner has slit the throats of two innocent young children who were minors at the time of the incident. Thereafter, the children were taken to the hospital. The injuries caused by the petitioner were such that blood oozed on the floor and the children became unconscious. The children were then admitted initially at Godbole Hospital, Naupada with the help of neighbours and thereafter they were admitted to Jupiter Hospital, Thane. Both the children were treated in the said hospital and thereafter they were declared to be out of danger. The fact that, the petitioner has settled the dispute with her husband and that her husband has no grievance against her cannot be a ground to quash the FIR. In our case, no case is made out to quash the FIR. Hence, Rule is discharged.

(SANDEEP K. SHINDE, J)

(SMT. V.K. TAHILRAMANI, J)