

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
CRIMINAL APPLICATION NO. 405 OF 2016**

|                                    |                 |
|------------------------------------|-----------------|
| Harmeetsingh Manmohansingh Vadhera | ....Applicant   |
| versus                             |                 |
| The State of Maharashtra and ors.  | ....Respondents |

Ms. Mohinee Chougule i/b. Ratna Jaiswal, advocate for the applicant.  
Ms. S. D. Shinde, APP for the State.

**CORAM : RANJIT MORE &  
SMT.ANUJA PRABHUDESSAI, JJ.**

**DATE : 11<sup>th</sup> APRIL, 2017.**

**P. C. :**

Heard learned counsel for the applicant and learned APP for the State.

2. The application is filed seeking direction to respondent No.3 to re-investigate into the matter and file an additional charge-sheet in Sessions Case No.609 of 2014 pending before the Sessions Court at Bombay. The applicant is the husband of respondent No.4. Respondent No. 4 had filed FIR bearing CR No.67 of 2014 with Anthop Hill Police Station against the applicant for offences punishable under Sections 498A, 376A, 377, 323, 427, 406, 504, 506 read with Section 34 of the Indian Penal Code, 1860. Learned APP stated that after the

completion of the investigation, charge-sheet was filed before the concerned magistrate in the year 2014 itself and the case was thereafter committed to the Sessions Court. The Sessions Court framed charges against the applicant and the trial has already commenced and PW-1 has already been examined.

3. The present application is filed on 15<sup>th</sup> June, 2016, by the applicant who is arrayed as accused in the said sessions case. The applicant has no locus to file the application and seek the reliefs claimed therein, that too, at the belated stage i.e. after two years from the filing of the charge-sheet. The application is abuse of the process of law. It appears that the applicant is trying to protract the trial of the said sessions' case and, therefore, we dismiss the application with exemplary cost of Rs.25,000/-. The amount of cost to be paid to respondent No.4 within a period of two weeks from today. The petitioner is directed to file compliance report. The criminal application is dismissed. However, for recording compliance, the matter be placed on board on 2<sup>nd</sup> May, 2017.

**(SMT. ANUJA PRABHUDESSAI, J.)**

**[RANJIT MORE, J.]**