

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

Criminal Application (APL) No.678 of 2017

[Sau. Jyoti w/o Ramesh Lahudkar and others v. The State of Maharashtra,
through PSO, P.S. Jalgaon Jamod, Dist. Buldana, and another]

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

Shri N.S. Warulkar, Advocate for Applicants.

Ms Sangeeta Jachak, Additional Public Prosecutor for
Non-Applicant No.1.

Coram : R.K. Deshpande & M.G. Giratkar, JJ.

Date : 19th December, 2017

This application seeks quashing and setting aside FIR No.318 of 2017 registered on 9-9-2017 for the offences punishable under Sections 323, 325, 504 and 506 read with Section 34 of the Indian Penal Code against all the three applicants in the Police Station Jalgaon Jamod, District Buldana.

Notice was issued in this matter on 29-9-2017.

Ms Jachak, the learned Additional Public Prosecutor appearing for the non-applicant No.1 seeks time to file reply in this matter, though the matter was adjourned even on earlier three occasions on 12-10-2017, 16-11-2017 and 5-12-2017.

Shri Warulkar, the learned counsel appearing for the applicants, has invited our attention to the oral report dated 29-8-2017 submitted by the non-applicant No.2-

Sau. Suwarna w/o Gajanan Khade against the applicants in the Police Station at Jalgaon Jamod. We have gone through the said complaint and upon perusal of it, we are satisfied that there is no case made out for registration of the offences under Sections 323, 325, 504 and 506 read with Section 34 of the Indian Penal Code against the applicant Nos.2 and 3, viz. Ramesh s/o Sahebrao Lahudkar and Akshay s/o Ramesh Lahudkar respectively.

We, therefore, quash the said FIR No.318 of 2017 against the applicant Nos.2 and 3.

So far as the applicant No.1 is concerned, the application is not pressed. The applicant No.1 is granted liberty to approach the Magistrate for discharge. All questions are left open.

The criminal application stands disposed of.

(M.G. Giratkar, J.)

(R.K. Deshpande, J.)

Lanjewar