

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 3371 OF 2016

Vikcy Ramesh Gavali and Others. ..Petitioners.
Versus
State of Maharashtra & Another. ..Respondents.

Mr. K. S. Garg for the Petitioner.
Mrs. S. D. Shinde, APP for the Respondent-State.

Coram : RANJIT MORE &
SMT. BHARATI H. DANGARE, JJ.
Date : **August 21, 2018.**

P. C. :

1. Heard learned counsel for the Petitioner and learned APP for the Respondent-State. By this petition, the Petitioners are seeking to quash and set aside the FIR bearing CR. No. I-150 of 2016 registered with Mira Road police station for the offence punishable under sections 498A, 406, 323, 377, 504 and 506 of the Indian Penal Code, 1860.

2. The learned counsel for the Petitioner concedes that there are allegations against Petitioner No.1 (husband). He submitted that however insofar as Petitioner Nos.2 to 4 are concerned, there are no allegations in the FIR.

3. In the light of the above submission made on behalf of the Petitioners, we have gone through copy of the FIR. Perusal of the

same makes it clear that allegations are also made against Petitioner Nos.2 to 4, namely, brother in law , sister in law and mother in law of complainant. The allegations show that the complainant was harassed with a view to coerce her to meet an unlawful demand of dowry. The veracity of allegations made in the FIR cannot be examined at this stage.

4. To substantiate his case, learned counsel for the Petitioner relied upon the decisions of the Apex Court in Bhaskar Lal Sharma v. Monica¹ and Neelu v. Bharti² and submitted that there are no specific allegations against Petitioner Nos.2 to 4. We are unable to accept this submission inasmuch as we find that in the subject FIR, there are specific allegations against these persons. In that view of the matter, we are not inclined to entertain this petition and the same is accordingly **dismissed**.

5. Needless to mention that the observations made hereinabove are made for the limited purpose of disposal of this writ petition and the same shall not influence the trial Court at the time of trial.

[SMT. BHARATI H. DANGARE, J.]

[RANJIT MORE, J.]

1 (2009) 10 SCC 604.

2 2009(10) SCC 184.