

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO.4026 of 2018**

Mr. Devanshu Brijesh Agarwal and ors.Petitioners
versus
The State of Maharashtra and ors.Respondents

Mr. D. J. Dalal, advocate for the petitioners.
Mr. S. R. Shinde, APP for the State.

**CORAM : RANJIT MORE &
SMT.BHARATI H. DANGRE, JJ.**

DATE : 5th OCTOBER, 2018.

P. C. :

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

2. The petition is filed for quashing and setting-aside the FIR bearing CR No.367 of 2018 registered with Sinhagad Police Station, Pune, for the offences punishable under sections 498-A, 323, 504, 506 and 34 of the Indian Penal Code, 1860. A copy of the FIR is annexed at page 16. We have gone through the same. There are specific allegations against the petitioners that at the time of marriage they have demanded Rs.70,00,000/- and Swift Desire Car from the complainant's father. They have also reiterated their demand in the year 2013 and 2016. The FIR does disclose that the respondent No.2-complainant was subjected to

harassment to meet the said demands. The allegations made in the FIR discloses commission of offence under sections 498-A of the Indian Penal Code, 1860. The veracity of the allegations cannot be gone into at this stage and thus the allegations will have to be accepted at its face value.

3. Learned counsel for the petitioners submitted that the FIR is filed belatedly and after filing of divorce proceedings by the petitioner No.1-husband. However, we are of the opinion that merely because there was delay in filing the FIR, the same cannot be quashed in exercise of jurisdiction conferred upon this Court under Article 226 of the Constitution of India.

4. In the light of the above, the writ petition stands dismissed.

[SMT.BHARATI H. DANGRE, J.]

[RANJIT MORE, J.]