

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

WRIT PETITION NO.121 OF 2018

Pradip Sugriv Gawali

...Petitioner

vs.

The State of Maharashtra and Anr.

...Respondents

Mr. Sachin Gite for the Petitioner.

Mr. K. V. Saste, APP for the Respondent-State.

**CORAM : B. P. DHARMADHIKARI &
REVATI MOHITE DERE, JJ.
DATE : 29/01/2019.**

P.C.:

. The submission of learned counsel for the petitioner is that the report itself shows consensual relationship and hence ingredients of offence under section 376 of IPC are not made out. It is also pointed out that the petitioner before this Court is a Government Servant.

2. Learned APP states that offences are under sections 376 and 417 of IPC. It is claimed that under the pretext of promise to marry relationship was established and maintained.

3. We are not inclined to entertain the petition in extra ordinary jurisdiction. We keep all contentions of the petitioner open and dispose of the present petition.

(REVATI MOHITE DERE, J.)

(B. P. DHARMADHIKARI, J.)