

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 497 OF 2018**

Vishal Vikas Bhole & Ors.	...Applicants
Versus	
The State of Maharashtra & Anr.	...Respondents

Mr. Abhijeet Desai I/b Desai Legal for the Applicants

Mrs. A. S. Pai, A.P.P for the Respondent No.1-State

Mr. Prashant V. Gavai for the Respondent No. 2

**CORAM : B. P. DHARMADHIKARI &
REVATI MOHITE DERE, JJ.
WEDNESDAY, 30th JANUARY 2019**

P.C. :

1 Heard learned counsel for the applicants. Submission is, the FIR does not contain necessary details and though three instances of harassment (alleged) are narrated, the same are not taken to logical end. Our attention is also invited to pleadings in domestic violence case and statement of applicant No. 1 dated 30th December 2017 in support.

2 Learned A.P.P appearing for respondent No. 1 points out that after investigation, as sufficient material was found on record,

charge-sheet is presented. Counsel for respondent No. 2 states that investigation has been carried out and police have found enough material on record.

3 We cannot, at this stage, attempt to find the contradictions in pleadings in DV proceedings and in report lodged with police by respondent No. 2-complainant. Not only this, even from statement of applicant No. 1 dated 30th December 2017, it appears that there was some dispute about the ornaments of respondent No. 2.

4 The facts also show that father of applicant No. 1 and father-in-law of respondent No. 2 was detected and treated for cancer and expired on 15th February 2018. The respondent No. 2 has claimed that pressure was brought on her and her family to bring money even for that purpose.

5 As the FIR need not contain entire material and during investigation, police has found some substance in the contentions, we, in this jurisdiction, are not inclined to appreciate the statements as

evidence threadbare. The exercise can be undertaken by the trial Court at appropriate juncture.

6 Hence, we refuse to intervene in extraordinary jurisdiction.

7 Needless to observe that reasons recorded by us are only for refusing to intervene in Section 482 Cr.P.C and all contentions of applicants are kept open for appreciation on merit by trial Court at appropriate juncture.

8 We dispose of present application.

REVATI MOHITE DERE, J.

B. P. DHARMADHIKARI, J.