

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CRIMINAL APPELLATE JURISDICTION**  
**WRIT PETITION NO. 5406 OF 2019**

|                               |                |
|-------------------------------|----------------|
| Mahesh Subhash Mirajkar & ors | .. Petitioners |
| Versus                        |                |
| Sheetal Mahesh Mirajkar & Anr | .. Respondents |

...

Mr. Shubham Kanade i/b S.R. Ganbavle for the petitioners.  
Mr. Rushikesh Patil for respondent no.1.  
Mr. N.B. Patil APP for the State.

**CORAM: BHARATI DANGRE, J.**

**DATED : 28<sup>th</sup> FEBRUARY, 2020.**

**P.C:-**

1           The present Writ Petition assails the order passed by the Judicial Magistrate, First Class, Court No.3, Pimpri, thereby issuing process against the accused nos.1 to 7 under Section 494 and 498A read with Section 34 of the IPC. The petitioner no.1 is the husband of respondent no.1 and on an application filed before the Magistrate under Section 156(3) of the Code of Criminal Procedure, the complainant alleged that the accused persons had cheated her and from the existence of the marriage she was subjected to harassment at the hands of the applicants and there was commission of a cognizable offence.

*Tilak*

2           The petitioner who has approached this Court for quashing of the said order has not made out any case for exercise of the inherent powers of this Court for quashing the issuance of the process. The learned Magistrate taking cognizance of the said complaint, on perusal of the same and after verification of the said complaint through the complainant, on perusal of the evidence placed on record and the documents placed by the complainant has issued process against the accused for an offence punishable under Section 494 and 498A of the IPC. Since no sufficient ground was found for proceeding under Sections 497 and 420 of the IPC, no process has been issued for the aforesaid section against the appellants.

2           The learned Magistrate has followed the procedure prescribed under the law and the order passed below Exhibit-1 discloses the steps taken by him in conformity with the provision of law which calls for no interference.

3           Writ Petition No.5406 of 2019 is thus dismissed.

**SMT. BHARATI DANGRE, J**