

Amit Navin Chaudhari & Ors. .. Applicants

V_S.

The State of Maharashtra & Anr. .. Respondents

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Mr. Nikhil Wadikar i/b Mr. Nandu Pawar for the applicants.

Ms. J.P. Yagnik, A.P.P. for respondent-State.

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**CORAM: S.S. SHINDE &
MANISH PITALE, JJ.**

DATED : 18TH FEBRUARY, 2021.

P.C:-

1. Heard learned counsel appearing for the applicants. The submission on behalf of the applicants is that on a bare reading of the complaint leading to registration of the FIR would show that the allegations made in the complaint are inherently improbable and that the ingredients of offences under Sections 498A, 323, 504 and 506 of the Indian Penal Code are not made out in the present case.
2. Learned counsel for the applicants has read out the contents

of the complaint leading to registration of the FIR and an affidavit said to have filed by the original complainant before the Sessions Court. By highlighting various contents, it is sought to be demonstrated that the ingredients of the alleged offences have not been made against the applicants.

3. We have perused the complaint and the aforesaid affidavit. We do not find that the statements made on behalf of the original complainant-wife can be said to be inherently improbable. In fact, the statements made in the complaint *prima facie* disclosed ingredients of the aforesaid offences as the complainant has stated that she has been mentally and physically harassed at the hands of the applicants, including on the aspect of demand of dowry.

4. Hence, we are of the view that the applicants have not been able to make out a case for exercise of inherent powers of this court under Section 482 of the Code of Criminal Procedure.

5. In view of the above, the application is dismissed.

6. Needless to say that the interim order stands vacated.

(MANISH PITALE, J.)

(S.S. SHINDE, J.)