

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (APL) NO.264 OF 2022

[Prashant Gopal Wahane **..Versus..** State of Maharashtra and Anr.]

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Shri. M. K. Kulkarni, Advocate for Applicant
Shri. S. S. Doifode, Addl. P. P. for Non-Applicant No.1/State.

CORAM V. M. DESHPANDE AND AMIT B. BORKAR JJ.

DATE : 4th MARCH, 2022.

Heard Shri. M. K. Kulkarni, learned Counsel for Applicant.

2. By filing of the present application under Section 482 of the Code of Criminal Procedure, the Applicant is challenging the proceeding registered with Police Station Tirora, District Gondia vide Crime No.0089 of 2022 for the offence punishable under Section 376(2) (A), 376(2)(F) and 417 of the Indian Penal Code.

3. It is the submission of the learned Counsel for Applicant that in view of the property dispute which is pending between the Applicant and the Complainant, the present First Information Report is filed. That may be the defence of the present Applicant that can be decided only during the course of the trial. However, from the perusal of the First Information Report, explicit allegations are made against the present Applicant, which attract the penal provision for which, he is booked.

4. In that view of the matter, there is no merit in the application, application is rejected.

JUDGE

JUDGE

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