

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

CRIMINAL APPLICATION (APL) NO.288 OF 2019

Geeta Wd/o. Ashok Chandekar and oths.

.vs.

The State of Maharashtra, through P.S.O. Jaripatka, Distt. Nagpur and oths.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

None for the applicant
Mrs Mrunal Barabde, counsel for the State
Mr N. A. Vaidya, counsel for the respondent No.2

CORAM : V. M. DESHPANDE AND G. A. SANAP, JJ.

DATED : JANUARY 03, 2022

Even on second call the learned counsel for the applicants Shri Ashwin Wasnik chose not to remain present.

2] On 18.03.2019 and also on 08.10.2021 counsel for the applicants was absent. State has filed detailed reply in this proceedings. We have heard Smt. Mrunal Barabde, the learned APP for the State and also with her assistance we have gone through the reply filed on behalf of the State.

3] By filling the present application under Section 482 of the Code of Criminal Procedure, the petitioners are praying for quashing of First Information Report No. 1227 of 2018 registered with Police Station Jaripatka for the offence punishable under Section 498-A of the Indian Penal Code.

4] The crime was registered in view of the report

lodged by the non-applicant No.2 on 30.10.2018. From the report it is clear that the present applicant No.3 is her husband and the applicant No.1 is her mother-in-law and applicant No. 2 is her sister-in-law. The report is placed on record. Perusal of the report clearly reveals that there are allegations against the applicants constituting the offence punishable under Section 498-A of the Indian Penal Code at least prima facie. Further as per the reply though the applicants were granted anticipatory bail by the learned Adhoc District Judge-1 and Addl. Sessions Judge, Nagpur in Misc. Criminal Application No. 176 of 2019 on 31.01.2019 they did not attend the Police Station as directed by the learned Additional Sessions Judge, therefore, as per the reply, the statement of the present applicants could not be recorded.

5] Since the applicants have blatantly flouted the order passed by the learned Additional Sessions Judge and has misused the liberty granted to them and also the First Information Report clearly spell out the case against the present applicants under Section 498-A of the Indian Penal Code, we see no reason to exercise our discretion in favour of the applicants.

The Criminal Application stands **rejected**.

JUDGE

JUDGE