

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

CRIMINAL APPLICATION (APL) NO. 1229 OF 2022

(Abhijit Vijay Ghate ..vs.. State of Maharashtra, through PSO, PS Old City, Akola and another)

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

Court's or Judge's orders

Mr. P.A. Kadu, Counsel for the applicant,
Mr. M.J. Khan, Addl.P.P. for non-applicant 1/State.

**CORAM : ROHIT B. DEO &
ANIL L. PANSARE, JJ.**
DATED : 13-09-2022

This application is preferred by the husband of non-applicant 2 seeking quashment of First Information Report 62 dated 17-1-2022 on the basis of which offence punishable under Sections 498-A, 323, 504 and 506 read with Section 34 of the Indian Penal Code is registered at the Old City Police Station, Akola.

2. We have perused the oral report dated 17-1-2022. Non-applicant 2 has given a graphic narration of the demand for Rs.50,00,000/- (Rupees Fifty Lac) made by the applicant, and the ill-treatment meted out in view of the inability of the family of non-applicant 2 to satisfy the demand. Non-applicant 2 has alleged that she was physically assaulted from time to time and was forced to leave her matrimonial home.

3. While the learned Counsel for the applicant would submit that there is a delay of four months in lodging the

report, whether there is a delay and the implication thereof, is a matter of trial.

4. We cannot and will not quash the report and nip the entire prosecution in bud, at this stage. If the oral report is holistically read and taken at face value, the ingredients of the offence are clearly discernible. We are not inclined to exercise jurisdiction under Section 482 of the Code of Criminal Procedure.

5. The application is dismissed.

(ANIL L. PANSARE, J.)

(ROHIT B. DEO, J.)

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