

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION***

CRIMINAL WRIT PETITION NO. 5231 OF 2021

Rehana Rafik Shah ...Petitioner
Versus
The State of Maharashtra & Ors. ...Respondents

Mr. Shrishail Sakhare for the Petitioner

Mr. S. S. Pednekar, A.P.P for the Respondent No.1-State

None for the Respondent Nos. 2 to 6

***CORAM : REVATI MOHITE DERE &
SHARMILA U. DESHMUKH, JJ.
TUESDAY, 25th APRIL 2023***

P.C :

1 By this petition, the petitioner seeks the following
substantive reliefs :

“b) This Hon’ble court may be pleased to call for the record and proceedings in the FIR No. 269 of 2021 dated 27/04/2021 registered by Dindoshi Police Station u/s. 354, 323, 504, 506 r/w 34 of IPC.

c) This Hon’ble court may be pleased to issue appropriate writ and direction to the Respondent

No.1 to register FIR in the name of lady members Accused/Respondent No. 2 to 4 i.e. Khurshida Waliullah Sheikh, Afreen Waliullah Sheikh and Nasreen Waliullah Sheikh be included / added in the said FIR as Accused and further the provision of Section 143, 144, 147, 148, 149, 451 and 452 of IPC be applied against the Accused/Respondents No. 2 to 6 in the said FIR.”

2 Perused the papers. The petitioner has lodged the FIR on 27th April 2021 (original complainant's statement came to be recorded on 26th April 2021, pursuant to which, an FIR was registered on 27th April 2021) alleging offences punishable under Sections 354, 323, 504, 506 r/w 34 of the Indian Penal Code as against Imran Sheikh and Irfan Sheikh. The sections alleged as against the accused are 354, 323, 504, 506 r/w 34 of the Indian Penal Code.

3 Learned A.P.P states that pursuant to the FIR and after conducting investigation, the police have filed charge-sheet in the said case on 12th April 2023 as against Imran Sheikh and Irfan Sheikh on the basis of the FIR so registered by Rehana Shah.

4 Considering the aforesaid, nothing survives for further consideration in the aforesaid petition, since charge-sheet is filed. It is always open for the parties to take appropriate steps in accordance with law, during trial.

5 Petition is accordingly disposed of.

6 We make it clear that we have not gone into the merits of the petition and as such all contentions of all parties on merits are kept open.

7 All concerned to act on the authenticated copy of this order.

SHARMILA U. DESHMUKH, J. REVATI MOHITE DERE, J.