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

WRIT PETITION NO. 4398 OF 2019

Yogesh Anand Agarwal & Ors.PETITIONERS
V/S
The State Of Maharashtra & Anr.RESPONDENTS

Ms Sharda Ahuja i/by Adv. Shashank Choudhary for Petitioners
Smt. M. M. Deshmukh, APP for the respondent-state.
Mr. Mahadik Manoj, PSI, Panvel City Police Station present.

**CORAM : NITIN W. SAMBRE &
R. N. LADDHA, JJ**

DATED : 23rd JANUARY, 2023

P.C.:

1. The petitioners are seeking quashing of prosecution initiated vide crime no. 544 of 2018 punishable u/s. 498-A, 406, 323, 506 r/w. 34 of IPC.
2. Learned APP on instructions from the police officer informs that after the petitioners are charge-sheeted, the charge is already framed.
3. Learned counsel for the petitioners would urge that the entire FIR is based on the false attributions purely with an intention to harass the petitioners. It is claimed that necessary ingredients of the offence which alleged against the petitioners are not satisfied and that being so the prosecution needs to be

quashed and set aside.

4. Learned APP would oppose the prayer as according to her during the investigation sufficient evidence was collected and accordingly petitioners are charge-sheeted, which has further resulted in the framing of charge.

5. We have appreciated the submissions.

6. The petitioner no. 3 is son of petitioner nos. 1 & 2. Petitioner no. 3 got married with respondent no. 2, Chartered Accountant by profession on 04/05/2017. It appears that the petitioner no. 3 thereafter shifted to Australia whereas the respondent no. 2 remained/stayed with petitioner nos. 1 & 2.

7. It appears from the contents in the FIR and other materials on records that the petitioners not only used to quarrel with the respondent no. 2 but there was demand for money and immovable properties. The FIR contains specific attributions against all the three petitioners, which sufficiently satisfies necessary ingredients of sections for which the petitioners are charged.

8. In the aforesaid background, it cannot be said that necessary ingredients of sections for which a charge is framed against the petitioners is not satisfied particularly having regard to the

detailed contents in the FIR.

9. In this background no case for interference is made out. The petition as such fails, dismissed.

(R. N. LADDHA, J)

(NITIN W. SAMBRE, J.)