



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1104 OF 2024

Abdul Zahir Abdul Gani Shaikh
And Others

... Applicant

VERSUS

Tabassum W/o Jahir Shaikh

... Respondent

.....
Mr. Shaikh Hakkani M Hussain, Advocate for Applicant

.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 20th MARCH, 2024

ORDER :

1. This application is filed seeking quashing of 498-A proceeding filed by respondent being RCC No.367/2018 against husband and in-laws.

2. Heard learned advocate for applicant. Perused the grounds raised in the application, memo and annexures thereto.

3. Learned advocate for applicant submits that a frivolous trial is being conducted and there are no specific allegations against applicant. Informant is not leading evidence before the trial Court. Hence, the proceeding is liable to be quashed and set aside.

4. Perusal of the documents filed along with application show that verification of informant-respondent is recorded and thereafter she has failed to lead evidence. Trial Court from time to time has observed that the case is more than five years old and gave opportunity to informant-respondent to lead evidence. It appears that she has failed to lead evidence.

5. In these peculiar facts, the trial Court is directed to conclude the trial within two months from the date of receipt of writ of this order. In case, informant-respondent fails to appear and lead evidence, the trial Court shall pass appropriate order.

5. With these observations application is disposed of.

[NITIN B. SURYAWANSHI]
JUDGE