

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 13 OF 2024

Santosh Ramesh Lagde (Kanade) and others ... Petitioners

Versus

State of Maharashtra and another ... Respondents

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Mr. Nitin Gaware Patil for the Petitioners.

Ms. Rutuja Ambekar, APP for the State.

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**CORAM : SMT. ANUJA PRABHUDESSAI &
N.R. BORKAR, JJ.**

DATED : 3 JANUARY 2024

P.C. :-

1. Learned Counsel for the Petitioners seeks leave to amend the prayer clause as to incorporate criminal case number. Leave as sought is granted. Amendment to be carried out forthwith. Copy of the amended Petition be furnished to the Respondents.
2. Issue notice to Respondent No.2, returnable on 24 January 2024.
3. Learned APP waives service of notice on behalf of State-Respondent No.1.

4. Learned APP to make an endeavour to intimate the next date of hearing to the respondent No.2 through the officer of the concerned police station.

5. The Petitioners seek to quash the FIR No.443 of 2022 registered with Karad City Police Station, Satara for the offence punishable under Sections 498A, 323, 504, 506 r/w. 34 of Indian Penal Code.

6. Perusal of the FIR reveals that the marriage of Petitioner No.1 and Respondent No.2 was solemnized on 28 November 2003. The FIR reveals that Respondent No.2 is not residing in the matrimonial home since June 2019. She has lodged the FIR on 13 May 2022 alleging that she was subjected for cruelty since the year 2004. Respondent No.2 has not only implicated her husband but all the other members of his family including his niece and nephew. Learned Counsel for the Petitioners states that the criminal case is listed on 10 January 2024 for framing of charge. The allegations in the FIR are prima facie vague and omnibus. In such circumstances, further proceedings of Regular Criminal Case No.324 of 2022 pending on the file of JMFC, Karad is stayed till next date of hearing.

(N.R. BORKAR, J.)

(SMT. ANUJA PRABHUDESSAI, J.)