

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 675 OF 2024**

Asif Iqbal Mulla & Ors.	...Petitioners
Versus	
State of Maharashtra & Anr.	...Respondents

Mr. Kalim Ansari for the Petitioners.
Mr. Y.M. Nakhawa, APP for the Respondent.

**CORAM : PRAKASH D. NAIK &
N. R. BORKAR, JJ.
DATE : 28.02.2024.**

PC:-

1. The petitioners are challenging the first information report dated 17.09.2023 registered with Kashimira police station, Mira-Bhayander, Vasai- Virar vide C.R. No. 655 of 2023 for the offences under Sections 498-A, 406, 323, 504 and 506 read with 34 of the I.P.C.

2. Petitioner No.1 is the husband, petitioner No.2 is the father-in-law, petitioner No.3 is the mother-in-law, petitioner Nos.4 and 5 are the sister-in-laws of respondent No.2. Petitioner No.6 is the husband of petitioner No.5.

3. It is submitted that the marriage between petitioner No.1 and respondent No.2 was solemnized on 3.3.2023. The petitioner No.1 is employed at Congo, Africa. After the marriage, he went to Congo. Respondent No.2 approached the police on 24.7.2023. Petitioner Nos.2 to 6 were called at the police station. Petitioner Nos. 2 to 6 had applied for anticipatory bail before the Court of Sessions. The said

application is pending. However, the learned Sessions Judge has not granted interim protection to petitioner Nos.2 to 6 since the petitioner No.1 is not available in India. It is further submitted that in the Chats exchanged with the husband, i.e., petitioner No.1, respondent No.2 had expressed that she want to take divorce from him.

4. Learned APP submitted that attempt to contact petitioner No.1 was not successful as he had switched of his phone. Respondent No.2 in her statement dated 6.9.2023 stated that she want to join her husband.

5. Issue notice to respondent No.2, returnable on 18.6.2024. In the meantime, no coercive action shall be initiated against the petitioner Nos.2 to 6 in connection with impugned FIR till the next date.

(N.R. BORKAR, J.)

(PRAKASH D. NAIK, J.)