

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

CRIMINAL WRIT PETITION NO. 780 OF 2024

Nischal Ajit Kalantri And Anr. ...Petitioners
Versus
The State Of Maharashtra And Anr. ...Respondents

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Mr. Aniket Nikam i/by Mr. Amit Icham, Advocate for the Petitioners.
Ms. K. T. Hivrale, APP for the Respondent – State.

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**CORAM : PRAKASH D. NAIK, &
N. R. BORKAR, JJ.
DATE : 11th MARCH, 2024.**

P.C.:

1. The Petitioners are charge-sheeted for offences under Sections 376, 417, 420 r/w 34 of Indian Penal Code (for short 'IPC') and under the provisions of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989. The First Information Report (for short 'FIR') was registered by Respondent No.2 on 7th July, 2021. It is alleged that Respondent No.2 and Petitioner No.1 had decided to perform marriage. They had visited several places and there was physical relationship between them. The marriage was not performed.

2. Learned Advocate for the Petitioners submit that the allegations in the FIR itself indicate that the relationship was of

consensual nature. There was no false promise of marriage. The engagement ceremony was performed, but due to some reasons marriage could not be performed. The matter is before the trial Court today for framing charge, unless interim protection granted, the trial Court would proceed to frame charge against the Petitioners.

3. Issue notice to Respondent No.2, returnable on 26th June, 2024.

4. In the meantime, the proceedings before the trial Court are stayed till the next date of hearing.

(N. R. BORKAR, J.)

(PRAKASH D. NAIK, J.)