

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1 OF 2024

Rajendra Shamrao Honmare and others	Applicants
versus	
The State of Maharashtra and another	Respondents

Dr.U.PWarunjikar i/by Mr.Sumit K. Kale, Advocate for Applicants.
Mr.Arfan Sait, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 3rd January 2024

PC :

1. The applicants are challenging order dated 15th July 2022 passed by learned 6th Judicial Magistrate First Class, Satara directing inquiry u/s.202 of Code of Criminal Procedure.

2. Learned advocate for Applicants submitted that prior to filing of present complaint the husband of complainant had filed a private complaint before learned Judicial Magistrate First Class which has been numbered as RCC No.322 of 2019 on 2nd July 2018 with identical allegations. Vide order dated 11th July 2019 process was issued against accused for the offences u/s.406, 420, 500 r/w 34 of IPC and u/s.3 of Maharashtra Prevention and Eradication of Human Sacrifice and other Inhuman, Evil and Aghori Practices and Black Magic Act, 2013, and Sections 66A and 66D of Information Technology Act, 2000. The said proceedings were challenged by accused before this Court by preferring Criminal Application No.1069 of 2019. Vide order dated 13th August 2019 this court granted ad-interim relief in the nature of stay to the proceedings.

The said application thereafter was heard on 11th December 2023 and to enable the parties to explore possibility of settlement, it was adjourned to 15th January 2024. The allegations in both the complaints are identical. Impugned complaint was filed by the wife of complainant in previous case. The complainant had also initiated proceedings before Consumer Dispute Redressal Forum, at Satara and requisite amount has been deposited before the State Commission, Maharashtra State. The Applicants are directed to appear before the Investigating Officer today to participate in the investigation u/s.202 of Cr.P.C.

3. Issue notice to Respondent no.2 returnable on 12th February 2024.
4. In the mean time, there shall be ad-interim relief in terms of prayer clause(b) till next date of hearing.

(PRAKASH D. NAIK, J.)

MST