

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION (APL) NO. 956 OF 2024**

Rajini Balkrishna Navadkar & Ors.

.....Applicants

Vs.

The State Of Maharashtra & Anr.

.....Respondents

Adv. Harshad Palwe a/w Adv. Farzana Khan for the Applicants.

Mr. A.S. Shalgaonkar APP, for the Respondent-State.

**CORAM : A. S. GADKARI AND
DR. NEELA GOKHALE, JJ.****DATE : 28th AUGUST, 2024.****P.C.:-**

- 1) Issue notice to Respondent No.2, returnable on 16th October, 2024.
- 2) Learned Advocate for the Applicants is directed to supply spare copies of the Application in the Registry within a period of two weeks from today, failing which the Application shall stand dismissed without further reference to this Court.
- 3) Mr. Palwe, learned Advocate for the Applicants submitted that, the Respondent No.2 has filed a private complaint bearing Criminal Application No.209 of 2024 in the Court of J.M.F.C. at Karad with same and/or similar allegations as stated in the impugned FIR. That, the learned Magistrate by its Order dated 30th May, 2024 had directed that the said

complaint be put up for verification and on 30th May, 2024 did not pass Order under Section 156(3) of the Cr.P.C. That, the Respondent No.2 thereafter approached Karad City Police Station, District Satara and lodged present crime on 9th July, 2024. He submitted that, in the present FIR, the Respondent No.2 did not disclose the fact of her filing of the said private complaint bearing Criminal Application No.209 of 2024 and it is still pending for adjudication before the trial Court.

4) Perusal of record *prima facie* supports the contention of the learned Advocate for the Applicants.

5) In view thereof, till the returnable date, ad-interim relief in terms of prayer clause (b).

(DR. NEELA GOKHALE, J.)

(A.S. GADKARI, J.)

SANJIV
SHARNAPPA
MASHALKAR

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by SANJIV
SHARNAPPA
MASHALKAR
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2024.09.02
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