

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1780 OF 2024

Baswaraj Jagannath Jawalgekar & Ors.Applicants

Vs.

The State of Maharashtra
through In Charge Police Officer & Anr.Respondents

Mr. Shrirang Katneshwarkar, i/b. Mr. Fayaz K. Patel, for the Applicants.
Mr. S. A. Karmakar, APP for Respondent No.1-State.

**CORAM : SARANG V. KOTWAL AND
DR. NEELA GOKHALE, JJ.**

DATE : 13th DECEMBER 2024.

P.C.:-

1) This is an Application for quashing of the Regular Criminal Case No.1258 of 2022 pending before the Judicial Magistrate First Class, Pimpri arising out of the FIR No.450 of 2021 registered at Chikhali Police Station, Pimpri Chinchwad.

2) Learned counsel for the Applicants invited our attention to the decree of divorce passed by the 7th Joint Civil Judge Senior Division, Pune in Marriage Petition No.176 of 2023. In that order, in paragraph 10, there is a reference to this proceeding and the Petitioner No.1, i.e., Respondent No.2 herein has specifically agreed to

unconditionally withdraw this complaint. However, no steps were taken by the Respondent No.2 towards fulfilling her commitment.

3) Considering this situation, it is necessary to hear Respondent No.2. In the meantime, the Applicants can be protected by way of ad-interim relief. Hence, the following order:

ORDER

- (i) Issue notice to the Respondent No.2 returnable on 14th February 2025.
- (ii) Till then, the trial Court shall not proceed against the Applicants.

(DR. NEELA GOKHALE, J.)

(SARANG V. KOTWAL, J.)

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