

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APL) NO. 696/2024
(Prajwal Bapurao Pakhare Vs. State of Maharashtra & anr.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. S. S. Jadhav, Advocate for applicant.
Mr. S.A. Ashirgade, APP for non-applicant No.1.

CORAM: VINAY JOSHI AND
MRS. VRUSHALI V. JOSHI, JJ.

DATED : 06/05/2024.

Heard.

2. This is an application seeking to quash First Information Report vide Crime No. 209/2024 registered with Police Station Frezarpura, Amravati for the offence punishable under Section 376(2)(n) of the Indian Penal Code. At the instance of report lodged by informant lady aged 23 years, crime has been registered. It is informant's contention that under misrepresentation of facts, her consent was obtained for sexual intercourse which vitiates amounting to offence of rape.

3. The learned counsel appearing for the applicant would submit that it is a case of love affair and at the most it can be turned as a consensual relationship between two adults. It is also submitted that there was no deceitful intent as already marriage was fixed, but it was not materialized due to subsequent events.

4. Issue notice to the non-applicants returnable after eight weeks for final disposal. The learned APP waives service of notice for non-applicant No.1.

6. In the meantime, investigation may go on, but charge-sheet shall not be filed without obtaining leave of this Court against the present applicant.

Gohane

(MRS. VRUSHALI V. JOSHI, J.)

(VINAY JOSHI, J.)