

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

CRIMINAL APPLICATION (APL) NO. 745 OF 2024

Shafaque Ahemad Sohel Sheikh

Vs.

State of Maharashtra, Thru. PS Pachpaoli, Nagpur and anr.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. K.M. Pande, Advocate for applicant.
Mr. S.B. Bissa, APP for non-applicant No.1.

**CORAM : VINAY JOSHI, AND
SMT.VRUSHALI V. JOSHI, JJ.**

DATE : 02.05.2024

Heard.

2. This is an application seeking to quash FIR in Crime No.200/2024 registered with Police Station Pachpaoli, Nagpur, for the offence punishable under Sections 376(2)(n) of the Indian Penal Code.

3. The informant girl aged 25 years has lodged the report alleging that she got acquainted with the applicant in the year 2018. On 08.02.2018, the applicant has established physical relations under the promise to marry. Then, after five years on 22.02.2024 again the things were repeated. The applicant refused for marriage and therefore, the report.

4. Learned counsel for the applicant would submit that there was a love relationship but from the last five years, they had no contact. When the informant came to know that applicant is about to marry in the community, she got annoyed. The applicant has produced a copy of NC and notices issued prior to FIR showing that the girl gave threats.

5. It is the applicant's prime contention that there was a love relationship but the matter before five years and now by getting wind of the applicant's marriage, false allegations of rape under the promise to marry have been levelled.

6. Issue notice to the non-applicants, returnable on **27.06.2024**.

7. Mr. Bissa, learned APP waives service of notice on behalf of non-applicant No.1.

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

(SMT. VRUSHALI V. JOSHI, J)

(VINAY JOSHI, J)