



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

CRIMINAL APPLICATION (APL) NO. 1192/2024

Ms. Swati Choudhary Vs. The State of Maharashtra and 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. Dewani, Advocate for Applicant.

Mr. A. R. Chutke, A.P.P. for Non-applicant/State.

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

DATED : 29/08/2024.

1. Heard.
2. This is an application seeking to quash the First Information Report in Crime No. 0282/2023 registered with Police Station Nandgaonpeth, District Amravati for the offences punishable under Sections 380, 384, 385, 420, 504, 506 read with Section 34 of the Indian Penal Code.
3. The applicant Swati is erstwhile wife of the informant, whose marriage was dissolved by decree of divorce in the year 2018. Several litigations are going on between the couple. According to the applicant, after 2018 she has no concerned with the informant, however to pressurize the applicant, she along with her entire family has been falsely implicated.
4. Learned Counsel for the applicant brought to our notice two orders passed by this Court in Criminal Application (APL) Nos.10/2024 and 194/2024 dated 05.01.2024 and 05.02.2024 respectively wherein we have granted interim protection.

5. Learned Counsel for the applicant seeks interim relief placing his reliance upon the case of ***Neeharika Infrastructure Pvt.Ltd. Vs.State of Maharashtra and ors.*** reported in ***2021 SCC Online SC 315*** contending that this is an exceptional case, where the investigation is required to be stayed.

6. In view of the peculiar facts, issue notice to the non-applicants, returnable after six weeks.

7. Learned A.P.P. waives service of notice for non-applicant No.1.

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

9. We also direct that no coercive action shall be taken against the applicant till further orders of this Court.

10. This application be tagged with Criminal Application (APL) Nos. 10/2024 and 194/2024.

(MRS. VRUSHALI V. JOSHI, J.)

(VINAY JOSHI, J.)