



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR
CRIMINAL APPLICATION NO.1334 OF 2024

Chandrakant @ Golu s/o Babarao Ghatale and anr.

..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

Shri V.R. Deshpande, Advocate for the applicants.
Mrs Deshmukh, Addl.P.P. for the State.

CORAM: VINAY JOSHI AND MRS.VRUSHALI V. JOSHI, JJ.
DATED : 19/09/2024.

Heard.

2. This is an application seeking to quash the Criminal Prosecution i.e. R.C.C.865 of 2018 arising out of First Information Report No.142 of 2018 registered with the Dabki Road Police Station, Akola for the offence punishable under Sections 354(A)(1), 323, 504, 506 read with Section 34 of the Indian Penal Code.

3. The informant lady, who is running Flour Mill alleges that on 20.04.2018 she went to the shop of applicant no.1 asking to pay grinding charges on which applicant no.1 allegedly abused her in filthy language, assaulted her and applicant no.2 also assaulted the informant.

4. It is the informant's case that two days prior to the incident, one Pandu Mohade, who is the servant of the applicant, came to Flour Mill for grinding of which money was due.

5. Learned Counsel for the applicants would submit that entire story is false and fabricated. The FIR has been

lodged with ulterior motive. To substantiate the said contention, learned Counsel for the applicants took us through the reply of the Jail Authority given under the Right to Information Act specifying that at the relevant day, Pandu Mohade was in jail. Thus, *prima facie* material is brought to show that a very foundation of the prosecution is doubtful.

6. Issue notice to the non-applicants, returnable after four weeks. Learned Addl.P.P. waives notice on behalf of the State.

7. The proceedings before the Trial Court is stayed till further orders.

(MRS. VRUSHALI V. JOSHI, J.)

(VINAY JOSHI, J.)

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