



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

CRIMINAL APPLICATION (APL) NO.1573 OF 2024

SUSHANT SUBHASH BHATGHARE

VERSUS

THE STATE OF MAHARASHTRA THR. PSO WANI YAVATMAL AND ANOTEHR

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

Court's or Judge's orders

Mr. S.M. Tripathi, Advocate for the applicant/s
Mr. A.B. Badar, APP for the State

CORAM: VINAY JOSHI AND ABHAY J. MANTRI, JJ.

DATED : 22/10/2024.

1 Heard.

2 By this application, the applicant is seeking to quash criminal proceeding i.e. Sessions Case/Special Case No.100 of 2023, arising out of the First Information Report vide Crime No.1080/2023 registered with Police Station Wani, Yawatmal, for the offence punishable under Sections 376(2)(n), 417, 506 of the Indian Penal Code and under Sections 3(1)(w)(i), 3(1)(w)(ii), 3(2)(v) and 3(2)(va) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities), Act 1989.

3 It is informed that the trial Court has not framed charge yet.

4 The informant lady, aged 28 years, has lodged the report. It is her contention that in the month of December, 2022, she got acquainted with the applicant and then love relation developed. In December 2022, at the instant of the applicant, she went late midnight in the house of applicant's friend, where they had physical relation. Later, things repeated on and often. It is her case that on 09.09.2023 again the applicant summoned her to his house, where under the promise of marriage, she has been exploited by the applicant. Later, the applicant refused for

marriage. Hence, the report.

5 The learned counsel for the applicant would submit that it is a case of consensual relationship. It is pointed out that the informant never stated in her police report that under the pretext of marriage, the relation was developed, but she confessed that they on and often had established sexual relations. It is argued that incident dated 09.09.2023 itself discloses that the informant, at her own, used to visit the applicant's house for the reason which we cannot spelt out.

6 Issue notice for final disposal to the non-applicants, returnable **after six weeks.**

7 The learned APP waives service of notice for the State.

8 The trial Court shall not proceed with the matter, till further orders.

(ABHAY J. MANTRI, J.)

(VINAY JOSHI, J.)