



**IN THE JUDICATURE OF HIGH COURT AT BOMBAY
BENCH AT AURANGABAD**

11 CRIMINAL APPLICATION NO. 639 OF 2025

Kapil S/o. Ashok Nugurwar,
Age: 35 Years, Occu. : Nil,
R/o. Janki Nagar, Hanuman Gadh,
Nanded, Tq. & Dist. Nanded.

.... Applicant

VERSUS

1. The State of Maharashtra,
Through Police Inspector,
Police Station, Cyber Police Station,
Aurangabad City, District
Chhatrapati Sambhajinagar.

2. XYZ

.... Respondents

....
Advocate for Applicant : Mr. M.S. Karad h/f Mr. S.S. Thombre
APP for Respondent-State : Mr. A.R. Kale

....

**CORAM : SMT. VIBHA KANKANWADI &
SANJAY A. DESHMUKH, JJ.**

Dated : 26th February 2025

ORDER :-

1. The present application has been filed by the applicant for quashing the FIR vide C.R. No.0007 of 2024, registered with Aurangabad Police Station (Cyber), Aurangabad District for the offence punishable under Sections 354-A, 500 read with 34 of the Indian Penal Code.

2. Heard learned Advocate Mr. M.S. Karad h/f Mr. S.S. Thombre for the applicant and learned APP for the State. There is no necessity to issue notice to respondent No.2.

3. Respondent No.2, who is a bank manager working with Samarthnagar Branch of Maharashtra Gramin Bank, has lodged the FIR, based on the WhatsApp message, which she had received from one of her colleague who had received it from a mobile number. The said message was in the PDF form. The said message has been reflected in the FIR, which is stated to be against the lady employees working in the branch. The said message is not only defamatory, but then stated to be obscene as regards the lady employees are concerned. It is then stated that the said allegations were in respect of a function that had taken place and it was against the chairman of the bank. That it was defamatory as against the chairman of the bank also.

4. The said number is stated to be that of the present applicant and the link from the mobile number of the applicant to Branch Manager, Branch Kalamnuri, Dist. Hingoli has been stated. The applicant has been stated to be the dismissed employee of the said bank.

5. Taking into consideration the allegations, we are of the opinion that the investigation should be carried out in the matter and this is not a fit case where at the threshold the FIR can be quashed and set-aside. Further, the applicant has annexed his own letter to the police officer, dated 26.02.2024, wherein at one breath, he has claimed ignorance and at another breath, he is supporting the message and he has then made allegations against another officer and a lady and states that the said incident is true incident and mobile number which he has given in that application is the same i.e. reflected in the FIR. Hence, this is not a fit case where we can exercise our powers under Section 482 of Cr.P.C. for quashment. The application stands rejected.

[SANJAY A. DESHMUKH]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

asd