

CRIMINAL APPLICATION NO. 1684 OF 2024

Dr. Aniket Pravin Nitnaware	...	Applicant
versus		
State of Maharashtra & Anr.	...	Respondents

Ms.Shweta D. Wankhede for the Applicant.
Mr.A.A.Palkar, APP for Respondent No.1, State.

**CORAM : RAVINDRA V. GHUGE &
RAJESH S. PATIL, JJ.**

DATE : 24TH JANUARY, 2025.

P.C. :-

1. We have perused the First Information Report (FIR) bearing No. 0311 of 2024, dated 30th August, 2024 registered with the Azad Maidan Police Station, Brihan Mumbai City. Section 79 of the Bhartiya Nyaya Sanhita, 2023 (earlier Section 509 of the Indian Penal Code, 1860) has been invoked.

2. The learned APP submits that after the purported incident as mentioned in the FIR, the Investigating Officer called upon the Complainant to record her statement under Section 164 of the Code of Criminal Procedure, 1973. The Complainant has refused

to record such statement before the learned Magistrate, Esplanade Court, Mumbai.

3. Considering the above, **issue notice to the Respondents**, returnable on **5th March, 2025**. The learned APP waives service of notice on behalf of Respondent No.1, State.

4. Besides service of Court notice on Respondent No.2, we direct the Investigating Officer to serve the Complainant with a copy of this order obtained from the official website.

5. A spare copy of the Application for effecting service on the Complainant, has been tendered across the bar. Registry to proceed.

6. Until the returnable date, we direct that the investigation may be stalled.

(RAJESH S. PATIL, J.)

(RAVINDRA V. GHUGE, J.)