

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 141 OF 2025

Abhishek Balasaheb Temgire	...Petitioner
Versus	
State Of Maharashtra And Ors	...Respondents

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Mr. Viral Mukte i/b. Mr. Rahul Tiwari, Advocate for the Petitioner.

Mr. S. V. Gavand, APP for the State.

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

DATE : 21st JANUARY, 2025

P.C. :-

1. By this Petition, the Petitioner/Accused prays for quashing of the F.I.R. No.1090, dated 24th December, 2024, registered with the Shikrapur Police Station, Pune (Rural). Section 74, 189 (2), 191 (2), 190, 352, 351 (2), 351 (3), of the Bharatiya Nyaya Sanhita, 2023 have been invoked. According to the learned Advocate for the Petitioner, no offence is made out from the contents of the F.I.R, and even if the case is tried, there would be an acquittal. According to him, the Petitioner has been falsely

implicated and a false story has been narrated in the F.I.R.

3. We have perused the F.I.R. in the light of the submissions of the learned Advocate for the Petitioner. His primary contention is that an offence of outraging the modesty of a women is not established until the person exerts force upon the body of the women. This submission is fallacious and deserves to be discarded.

4. We find from the F.I.R. that the Complainant, who is a lady of 24 years of age, has mentioned as under :-

"तेव्हा मी तेथे जात असतानाच त्यातील अभिषेक बाळासाहेब टेगिरे याने आमचे घराकडे तोंड करून लघवी करू लागला. त्यामुळे मला लज्जा निर्माण झाली. त्यावेळीस मी पती विकास राजाराम शेंडगे यांचेकडे गेलेवर त्यांनी अभिषेक बाळासाहेब टेगिरे याला "आमचे घराकडे तोंड करून लघवी करतो, तुला बाया माणसे दिसत नाहीत काय "असे म्हणाले असता."

"अभिषेक बाळासाहेब टेगिरे व त्याचे सोबत असलेले चार अनोळखी इसमांनी माझे पतींना शिवीगाळ दमदाटी करणेस सुरवात केली. मी मध्ये गेले असता त्यांनी मला देखील शिवीगाळ दमदाटी केली. त्यानंतर अभिषेक याने त्यांच्याकडे असलेली पांढरे रंगाची आय 20 कार मधून कोयता आणून मला व माझे पतींना कोयता दाखवत "तुमचं सगळं कुटुंबाला मारून टाकीन" अशी धमकी दिली."

5. In view of the above, we find prima facie that an offence is made out. The Hon'ble Supreme Court has held in (a) **State of Odisha vs. Pratima Mohanty and others, (2022) 16 SCC**

703, (b) *Kim Wansoo vs. State of Uttar Pradesh 7 Others, 2025 SCC OnLine SC 17*, (c) *Central Bureau of Investigation vs. Aryan Singh Etc., AIR 2023 SC 1987*, that the High Court should not indulge in a mini trial while dealing with the proceeding under Section 482 of the Cr.P.C.

6. In view of the above, **this Criminal Writ Petition is dismissed.**

(RAJESH S. PATIL, J.)

(RAVINDRA V. GHUGE, J.)