

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

Criminal Writ Petition No.1416 of 2025

Mr. Shivaji Narayan Jadhav & anr. ... Petitioners
V/s.
The State of Maharashtra and anr. ... Respondents.

Mr. Sachin Chandan for the Petitioners.
Smt. M.M.Deshmukh, APP for the State.

**CORAM : SARANG V. KOTWAL
& S.M. MODAK, JJ.**

DATE : 25th March 2025.

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P.C. :

This is the petition for quashing of the proceedings pending before JMFC, Atpadi, Dist. Sangli bearing R.C.C. No.114/2021 under Sections 341,354,354(B),143,147,149,323,504,506,509 of Indian Penal Code. The proceedings arises out of C.R. No.75/2021 registered at Atpadi Police Station on 18th February 2021 by the Respondent No.2.

2. Heard Mr. Sachin Chandan appearing for the Petitioners and Smt. Deshmukh, learned APP appearing for the State.

3. The allegations in the FIR dated 18th February 2021 are about three incidents. The main allegations pertain to the incident dated 4th February 2021 which has allegedly occurred between 7.00 a.m. to 7.30 p.m. The Petitioners own adjoining agricultural land next to the

land of the first informant. There was a dispute regarding the boundary of the agricultural land. The allegations are that at the time of incident the Petitioners and their three associates entered the informant's land. They abused the informant. The Petitioner No.2 outraged her modesty by tearing her clothes. The informant tried to lodge the complaint in the police station but her complaint was not taken. The second incident is dated 8th February 2021 which had occurred at around 2.00 p.m. and third incident is dated 15th February 2021 which had occurred at around 9.00 a.m. On both these subsequent occasions allegedly the Petitioners entered the informant's land and threatened her. They also abused her. On this basis the FIR is lodged by the informant on 18th February 2021.

4. Learned Counsel for the Petitioner invited our attention to the FIR lodged by the Petitioner No.1 vide C.R. No.50/2021 at Atpadi Police Station in respect of the same incident dated 4th February 2021. The informant herself had obstructed the Petitioners from carrying out their agricultural work. The Petitioner No.1 given his complaint to the police on 16th February 2021 in respect of the incident dated 15th February 2021. Thus, the informant, according to the learned Counsel for the Petitioners had lodged her complaint as a counter blast much belatedly with malafide intentions. Learned Counsel submitted that the Petitioner No.1 is 88 years old man and it was not possible that he could have committed the offence alleged against the informant.

5. Considering these submissions, it is necessary to hear the other side. The learned Counsel for the Petitioners has made out a case for grant of ad-interim relief. Learned Counsel also seeks leave to amend to correct the typographical error in the prayer clause. Hence, the following order:

ORDER

(i) Leave to amend to correct the prayer clause is granted.
Amendment be carried out forthwith.

(ii) Issue notice to the Respondent No.2, returnable on 1st July 2025.

(iii) Till then the trial Court shall not proceed against the Petitioners.

6. Stand over to 1st July 2025.

(S.M. MODAK, J.)

(SARANG V. KOTWAL, J)