



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

CRIMINAL APPLICATION [APL] NO.342 OF 2024

[Shri Sachin s/o Prabhakar Raut .vs. State of Maharashtra and one]

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

Court's or Judge's orders

Shri B.H. Tekam, Advocate for Applicant.
Smt. M.H. Deshmukh, APP for Non-Applicant No.1/State.
Shri K.S. Agrawal, Adv. with Shri C.S. Tamhane, Adv. for Non-Applicant No.2.
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CORAM : ANIL S. KILOR AND
PRAVIN S. PATIL, JJ.

DATE : APRIL 01, 2025.

The applicant is the husband, who has moved this application for quashing of charge-sheet No.37/2024 for the offences punishable under Sections 498-A, 294, 323, 506 r/w Section 34 of the Indian Penal Code.

2. The only argument made by the learned counsel for the applicant is that the first information report is the outcome of the rejection of relief sought by the non-applicant no.2 under the Protection of Women from Domestic Violence Act, 2005 for maintenance. He, therefore, submits that the applicant has been falsely implicated in the alleged offence.

3. In the light of the submission made by the learned counsel for the applicant, we have perused the charge-sheet and it is evident from the chargesheet that there are five witnesses, who have categorically stated the role of the applicant in the alleged offence. Thus, there is sufficient *prima facie* evidence available to show the complicity of the applicant in the alleged offence.

4. In that view of the matter, considering the law laid down by the Hon'ble Supreme Court of India in the case of *State of Haryana and others .vs. Bhajan Lal and others*, reported in *1992 Supp. (1) SCC 335*, we do not find this case as a fit case for grant of relief, as prayed, in the present application i.e. for quashing of chargesheet. Accordingly, the application is **rejected**.

(PRAVIN S. PATIL, J.)

(ANIL S. KILOR, J.)