



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

CRIMINAL APPLICATION NO. 850 OF 2025

(Trilochan s/o Dibakar Das Vs. State of Maharashtra & Anr.)

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

Court's or Judge's orders.

Mr. Amol Hunge, Counsel for the applicant.
Ms S.N. Thakur, A.P.P. for non-applicant no.1/State.

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CORAM : ANIL L. PANSARE AND
M.M. NERLIKAR, JJ.
AUGUST 19, 2025

The application is filed to quash the First Information Report registered vide Crime No. 501/2023 for the offences punishable under Sections 354A, 354D and 506 of the Indian Penal Code, 1860 (for short "I.P.C."), as also chargesheet bearing no. 137/2023.

2] We have heard Mr. Amol Hunge, learned Counsel for the applicant, and Ms S.N. Thakur, learned A.P.P. for non-applicant no.1/State.

3] We have gone through the First Information Report. Non-applicant no.2 is working with MOIL Limited Company. The applicant is a General Manager (Administration) in the said Company. He used to call non-applicant no.2 in his chamber, and had bad intentions against her. He used to flatter her by saying that her skin and hairs are good and she looks good in western clothes. Non-applicant no.2 has then narrated various instances, which speak of the attempts made by the applicant to come close to her. She has then referred

to a Whats App message sent by the applicant, which reads as under :

“I ---- U, FOR U ALWAYS FREE, YOU ARE QUEEN OF MOIL, SINCE U HAVE CLOSED UR EYE TOWARDS ME, NEED UR FULL SUPPORT”

4] Non-applicant no.2 has then narrated the incident that occurred on 4/5/2023. The applicant called her in chamber and asked her to make corrections in file. She commence the work of correction through computer, and after completing it, she got up to take print. She leaned down to take paper. At that time, the applicant moved his hands on her buttock and tried to press it. Non-applicant no.2 scolded him by saying ‘how dare you touch me’, to which the applicant apologized and gave assurance of not committing such mistake again. On 5/5/2023, the applicant shared another message, which reads as under :

“SINCE U HAVE CLOSED UR EYE TOWARDS ME, I THOUGHT I SHOULD NOT DISTURB U AND WILL RESPECT UR DISTANCING ATTITUDE”

The applicant then shared yet another message on 31/5/2023 saying “Nice DP”.

5] This is how the report is lodged, and accordingly, offence under the aforesaid provisions is registered.

6] In our view, if the First Information Report is taken on its face value, the ingredients of the offence punishable under Sections 354A and 354D of the I.P.C. are made out. The applicant appears to have not only

harassed non-applicant no.2 sexually by having physical contact and by making sexually colored remarks but has followed non-applicant no.2 to foster personal interaction repeatedly despite a clear indication of disinterest by the non-applicant no.2.

7] The argument is that since the applicant sought explanation from non-applicant no.2, in retaliation, non-applicant no.2 has lodged false report.

8] We are not impressed with the argument. The aforesaid fact of calling explanation is stated by non-applicant no.2 in report as well. What is relevant is that the allegation of sexual harassment made by non-applicant no.2 is, in a way, substantiated through Whats App message shared by the applicant.

9] That being so, one cannot jump to the conclusion that the First Information Report is an outcome of retaliation.

10] There is, thus, no substance in the application. The application is rejected.

(JUDGE)

(JUDGE)

Sumit