



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

CRIMINAL WRIT PETITION NO.898 OF 2023

Pavan S/o Hareshbhai Gurnani and ors.

vs.

State of Maharashtra, Thr. PSO, Jaripatka PS, Nagpur and anr.

WITH

CRIMINAL WRIT PETITION NO.221 OF 2024

Pavan S/o Hareshbhai Gurnani

vs.

State of Maharashtra, Thr. PSO, Jaripatka PS, Nagpur and anr.

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

Court's or Judge's orders

Shri Dipenn S. Jagyasi, Advocate for petitioner.

Shri I. J. Damle, Additional Public Prosecutor for respondent No.1/State.

Shri G. D. Dani, Advocate for respondent No.3 in WP/898/2023 and for
respondent No.2 in WP/221/2024.

CORAM : ANIL L. PANSARE AND RAJ D. WAKODE, JJ.

DATED : 10th December, 2025

Criminal Writ Petition No.898/2023

The report of Commissioner of Police in terms of order dated 18/11/2025 is placed before the Court. The report indicates that enquiry was conducted in the matter and it was revealed that the respondent No.3-informant who is petitioner Nos.1's wife has out of vengeance, lodged false report against the petitioners.

2. At this stage, counsel for respondent No.3 submits that evidence placed by her before the inquiry officer has been not considered and she be permitted to place the said correspondence before the Court.

3. We are surprised to hear such allegation, inasmuch none of the counsel or party had opportunity to go through the report submitted by the Assistant Commissioner of Police in terms of order dated 18/11/2025. Thus, it appears that respondent No.3 of her own jumped to certain conclusion which, in our view, will further substantiate the inference drawn in the report that respondent No.3 is acting with prejudiced against the petitioner.

4. The counsel for respondent No.3 shall therefore first go through the report and find out whether the material placed by her

has been considered or not.

5. Considering the previous orders and conduct of respondent No.3, we direct respondent No.3 to deposit with the Court an amount of Rs.1,00,000/- before next date, so that, and if required, same could be awarded to the petitioners as compensation if it is found that they have been falsely implicated in the case.

6. We may note here the reasons put forth by petitioner Nos.2 and 3 who are brother-in-law and sister-in-law of respondent No.3 and who after attending marriage at Ahmedabad went back to their respective homes at Gariadhar, Gujrat and had no occasion to have physical contact to respondent No.3. In fact, the petitioner No.1 is a permanent resident of Abidjan, Africa, and after marriage petitioner No.1 and respondent No.3 left for Africa within 15 days of marriage. Thus, there was no occasion for petitioner Nos.2 and 3 to have contact with respondent No.3. Therefore, the allegations showing ingredients of Section 498-A IPC against these petitioners, are apparently false.

7. List on 22/12/2025.

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8. List for further consideration on 22/12/2025.

(Raj D. Wakode, J.)

(Anil L. Pansare, J.)