



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

CRIMINAL APPLICATION (APL) NO. 124 OF 2025

(Prasad Ganesh Ghogre V/s State of Maharashtra & Anr.)

Office Notes, Office Memoranda of Coram,
Appearances, court's orders or directions and
Registrar's orders

Court's or Judge's orders

Mr. H. V. Dhage, Advocate for Applicant.
Mr. M. V. Rai, Advocate for Respondent No.2.
Mr. N. B. Jawade, APP for Respondent
No.1/State.

CORAM : MRS. VRUSHALI V. JOSHI, J.
DATE : APRIL 16, 2026.

Heard.

2. By this Application, the Applicant is seeking quashment of the First Information Report in connection with Crime No. 0585/2024 registered with Police Station, Beltarodi, District Nagpur, Chargesheet No. 108/2025 and the proceeding bearing Regular Criminal Case No. 2773/2023 pending before the Judicial Magistrate First Class, Nagpur for the offence punishable under Sections 66 and 67 of the Information Technology Act, 2000 read with Sections 115(2), 296, 318(4), 336(3), 340(2), 351(2), 352 and 85 of Bhartiya Nyaya Sanhita, 2023.

3. The prosecution case in brief is that, the Complainant, who is Police Sub Inspector, uploaded the profile for the purpose of marriage on the matrimonial site namely, 'Jiwansathi.Com'. The

Applicant saw the said profile and sent message to the Complainant and they got acquainted with each other.

4. The allegations against the Applicant are that he had established forcible sexual relations with the Complainant at three-four times before marriage, in the result, she became pregnant. Thereafter on 10/5/2024 they performed marriage at Nagpur. It is further alleged that the Applicant has given false information about his income and business in the biodata. Infact he was not doing anything for his livelihood. It is alleged that after marriage the Applicant started harassing the Complainant mentally and physically. He used to beat her with kick and fist blows on trifle count and used to ask her to incur all household expenses from her salary. It is alleged that the Applicant had sent their private photographs to her friend on Whatsapp. As such, the Complainant lodged report to the Police Station, Beltarodi and offence came to be registered against the Applicant.

5. The learned Counsel for Applicant has stated that from the First Information Report itself it appears that the relations between the Applicant and Complainant were consensual. The learned Counsel further stated that Complainant has demanded Rs.50,00,000/- to the Applicant and as the Applicant did not fulfil such demand, she lodged the complaint against the Applicant and considering the allegations made against the Applicant, crime is registered and chargesheet came to be

filed. The learned Counsel for Applicant has stated that the Applicant has filed on record the Whatsapp messages between both of them and the demand made by her. As such, the present Application is filed by the Applicant for quashing FIR and Chargesheet as well as the proceeding bearing RCC No. 2773/2023 pending before the Judicial Magistrate First Class, Nagpur.

6. *Per contra*, the learned APP opposed the present Application and stated that Whatsapp messages, which are filed on record, cannot be considered at this stage. Considering the allegations made against the Applicant, present Application is liable to be rejected.

7. The learned Counsel for Respondent No.2 also opposed the present Application and stated that only because the Complainant is PSI, it does not mean that she cannot be harassed, and therefore, prays for rejection of the present Application.

8. Though it is apparent that the relations between the Applicant and Complainant were consensual before marriage, the allegations made by the Complainant against the Applicant are serious. He has given false information about his income, asked her to incur all the household expenses from her salary and also harassed her mentally and physically. Considering all the allegations made against the Applicant, in my opinion, the

Applicant has not made out a case for quashing the First Information Report and Chargesheet. Hence, the Criminal Application stands rejected.

[MRS. VRUSHALI V. JOSHI, J.]

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