

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

**CRIMINAL WRIT PETITION NO. 619 OF 2015**

Virselvan Mahalingam Tadikaran .. Petitioner

v/s.

The State of Maharashtra & Anr. ..Respondents

Mr. V.V. Gangurde for the petitioner  
Mr. K.V. Saste, APP for the respondent State

**CORAM: RANJIT MORE &  
SMT. ANUJA PRABHUDESSAI, JJ.**

**DATED: 31<sup>st</sup> MARCH, 2015.**

**P.C.**

1. Heard learned Counsel for the petitioner. This petition is filed for quashing the proceedings of C.R. No.32 of 2014 registered with Tilak Nagar Police Station, Mumbai under Sections 376, 323, 420, 363 r/w 34 of the IPC.

2. Learned Counsel for the petitioner submits that there was love affair between the petitioner and respondent no.2 and the FIR is registered with Tilak Nagar Police Station at the instance of

the respondent no.2's husband. He submits that respondent no.2 has no objection for quashing the captioned FIR.

3. We have gone through the copy of the FIR annexed at page 11 to the petition. A perusal of the FIR *prima-facie* shows that commission of offence under Section 376 of the IPC, which is a serious offence and therefore, cannot be quashed, even with the consent of the parties. We are of the considered view that the ratio laid down in the case of *Narinder Singh Vs. State of Punjab (2014) AIR SCW 2065* would not apply to the facts and circumstances of the present case.

4. In the above circumstances, the Writ Petition is dismissed.

(ANUJA PRABHUDESSAI, J.)

( RANJIT MORE, J.)