

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 672 OF 2015

Neha Ramesh Kini.

..Petitioner.

Versus

State of Maharashtra.

..Respondent.

Ms. Vidhya Shet and Mr. M. A. Vaid i/b Vaid Associates for the
Petitioner.

Mrs. S. V. Sonawane, learned APP for the State.

Coram : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI, JJ.

Date : **March 10, 2015.**

P. C. :

1. This petition is filed by the original complainant under Article 226 of the Constitution of India read with provisions of section 482 of the Code of Criminal Procedure, 1973 for quashing the proceedings of FIR No.I-18/2015 registered with Kashimira Police Station on 9th January 2015 against Shano Khan, Jawed Warasi and Faraz Warasi for the offence punishable under sections 376, 384, 420, and 507 of the Indian Penal Code, 1860 and sections 66(E) and 14 of the Information Technology Act, 2008.

2. Learned Counsel appearing for the Petitioner – complainant submitted that complaint was lodged out of sheer misunderstanding on the part of Petitioner and now she has realised

her mistake and therefore she does not want to proceed further with the FIR. She submitted that therefore the Complainant herself has filed this petition for quashing of complaint lodged by her.

3. The Petitioner - Complainant is personally present. We ascertained the contents of petition from her. She affirmed before us the same to be true and correct. She submitted that relations between herself and accused were consensual and FIR was lodged out of misunderstanding. She further submitted that she does not want to continue with the criminal proceedings against the accused as it would hamper her life in the sense she would be required to attend Police Station and Court frequently in prosecuting the case. She submitted that FIR lodged by her be quashed.

4. Ordinarily, we would not have acceded to the prayer at the behest of accused for quashing the FIR of such a nature, but considering the fact that complainant herself has come before this Court seeking to quash the FIR stating that relations between the parties were consensual and FIR was lodged out of misunderstanding, we are inclined to allow the prayer for quashing. Besides, continuation of the criminal proceedings may hamper marriage

prospectus as well as future life of the Petitioner. In our view, it is in the interests of the Petitioner to quash the proceedings.

5. In the light of aforesaid discussion, we allow petition in terms of prayer clause (b).

[SMT. ANUJA PRABHUDESSAI, J.]

[RANJIT MORE, J.]