

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

CRIMINAL WRIT PETITION NO. 796 OF 2015

Mohit Chandra Bhardwaj .. Petitioner

v/s.

The State of Maharashtra & Ors. ..Respondents

Mr. Mohit C. Bhardwaj, petitioner in person
Mrs. Namita M. Bhardwaj for respondent no.3 in person
Mrs. K.V. Saste, APP for the respondent State

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

DATED: 12th MARCH, 2015.

P.C.

1. The petitioner in person has requested to amend the cause title of the petition so as to implead the original complainant. Leave is granted. Necessary amendment shall be carried out forthwith.

2. Heard the petitioner, respondent no.3 in person and Mr. Saste, learned APP for the respondent State. The petitioner

has approached this Court invoking the writ jurisdiction of this Court under Article 226 of the Constitution of India under the provisions of Section 482 of the Cr.P.C. for quashing of FIR No.I-150/2014 registered against him with Meghwadi Police Station, Mumbai at the instance of respondent no.2 for the offence punishable under Sections 323, 377, 406, 498A and 506 of the IPC.

3. The respondent no.3, appeared in person states that she does not understand Marathi and her signature was obtained on the complaint by misrepresenting the facts. She further states that before registration of an offence, she gave an affidavit to the concerned police station pointing out that she has no complaint against the present petitioner. Despite this, the offence came to be registered against the petitioner. She also submits that she has no complaint of whatsoever against the petitioner and requested to allow the petition and quash the proceedings of the said FIR. Respondent no.3 has also filed an affidavit dated 12th March,

2015. In paragraph 3 of the affidavit, she has stated that prayers of the writ petition are true and correct and she has no objection for granting those prayers.

4. In the above circumstances and especially in the light of the decision of the Apex Court in the case of ***B. S. Joshi vs. State of Haryana reported [AIR 2003 SC 1386]***, we are of the considered view that this is a fit case for quashing the criminal proceedings.

5. Hence, the Writ Petition is allowed in terms of prayer clause (b). The criminal proceedings being FIR No.I-150/2014 registered against the petitioner with Meghwadi Police Station, Mumbai under Sections 323, 377, 406, 498A and 506 of the IPC is hereby quashed and set aside.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)