

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

CRIMINAL WRIT PETITION NO. 1796 OF 2015

Rajan Raghunath Gaikwad .. Petitioner

v/s.

State of Maharashtra & Anr. ..Respondents

Mr. Subhash Jha i/b Law Global for the petitioner
Mr. J.P. Yagnik, APP for respondent State

**CORAM: RANJIT MORE &
SMT. ANUJA PRABHUDESSAI, JJ.
DATED: 30th JUNE, 2015.**

P.C.

1. This petition is filed under Article 226 of the Constitution of India for quashing the FIR No.158 of 2015 registered with Loni Kalbhor Police Station, Pune (Rural) at the instance of respondent no.2 for the offence punishable under Sections 376, 420 of the IPC.

2. During investigation, the petitioner and respondent no.2 got married on 24.04.2015 and thereafter approached this Court for quashing the said FIR, by consent. The respondent no.2 has filed

affidavit dated 28.04.2015. In paragraph 2, she has stated that she got married to petitioner as per Hindu vedic rights on 24.04.2015 in Omkar Mangal Karyalaya at Alandi Devachi, Tal. Khed, Dist. Pune and, therefore, she do not want to pursue with the subject FIR and that she has no objection for quashing the same.

3. The petition was placed for admission on 28th April, 2015. However, though the parties were present, we deferred the hearing of the petition as the marriage certificate was not produced before us. The petitioner has filed an affidavit dated 30.06.2015. To this affidavit, he has annexed copy of certificate of registration of marriage, registered by Registrar of Marriages, Urulikanchan. The certificate shows that petitioner and respondent no.2 got married on 24.04.2015 and same is registered at the office of the Registrar of Marriages, Urulikanchan.

4. By the order passed yesterday i.e. on 29.06.2015, we had dispensed with the presence of parties on 30.06.2015. In view of

the marriage of the petitioner and respondent no.2, no purpose will be served in continuing with the investigation of the said FIR. It would be in the interest of respondent no.2 to quash the subject FIR.

5. The Writ Petition is allowed in terms of prayer clause (a). The FIR No.158 of 2015 registered by Loni Kalbhor Police Station, Pune (Rural) is quashed and set aside.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)