

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

CRIMINAL APPLICATION (APL) NO.102 OF 2015
(Sheetal Sudhakar Deshpande and another vs. State of Maharashtra)

Office Notes, Office Memoranda of
Coram, appearances, Court's orders Court's or Judge's orders
or directions and Registrar's orders.

Shri S.Z. Qazi, Advocate for applicants.

Shri S.M. Ukey, Additional Public Prosecutor for
respondent.

CORAM : A.B. CHAUDHARI AND
 P.N. DESHMUKH, JJ.

DATED : FEBRUARY 27, 2015

The learned Counsel for applicants submits that applicant no.1 has lodged first information report for the offence of rape against applicant no.2, but both the applicants have now settled the matter and want to compound.

We quote the following portion from the decision of the Apex Court in the case of Gian Singh vs. State of Punjab and another {(2012) 10 SCC 303} :

“In respect of serious offences like murder, rape, dacoity, etc. or other offences of mental depravity under IPC or offences of moral turpitude under special statutes, like the Prevention of Corruption Act or the offences committed by public servants while working in that capacity, the settlement between the offender and the victim can have no legal sanction at all.”

We find that applicant no.1 is running the great risk of committing perjury. Not only that, we feel that present criminal application is in the form of interference with investigation. That being so, we allow the applicants to withdraw the criminal application. Hence, criminal application is dismissed as withdrawn. Let charge-sheet be filed within three months. The applicants undertake not to approach this Court in the matter hereafter.

JUDGE

JUDGE

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