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IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CRIMINAL APPELLATE JURISDICTION******CRIMINAL APPLICATION No. 1051 OF 2016******Shri Karamatullah Rahmatullah******Khan @ Raju and Anr.******....Applicants******Vs.******State of Maharashtra and Anr.******....Respondents**************

Ms. Pranothi B. Pawar for the Applicants

Dr. F.R. Shaikh for the State – Respondent No.1

Ms. Sangeeta Mishra for Respondent No.2

**************CORAM : V. M. KANADE &******Ms. NUTAN D. SARDESSAI, JJ.******DATE : DECEMBER 2, 2016*****P.C. :**

1. It appears that the Complainant has filed the complaint for the offence punishable under sections 376, 385 of the Indian Penal Code against Applicant No.1 for refusing to marry with her despite giving a promise of marriage to her and on that pretext, having sexual relations with her and also against Applicant No.2 as he was blackmailing Respondent No.2.
2. The parties have now amicably settled the dispute. The police have submitted a report dated 1.12.2016. It is stated in the report that the

Applicant No. 1 and Respondent No.2 have now got married and marriage is registered. Applicant No.1 has also annexed the copy of the Nikahnama. Both the parties are present in the Court.

3. We have interviewed Respondent No.2- Original Complainant. She has stated that both are living as husband and wife and she has no objection if the complaint is quashed. Since the police report also indicates that Applicant No.1 and Respondent No.2 are staying together as husband and wife, we are of the view that quashing of the complaint is in the best interest of all the parties. The ratio of the judgments of the Apex Court in the case of **B.S. Joshi and Ors. Vs. State of Haryana and Anr. 9(1998) 5 SCC 749]** and in the case of **Narinder Singh Vs. State of Punjab [(2014) 6 SCC 466]** will squarely apply to the facts of the present case. Hence, Criminal Application is allowed in terms of prayer clause (ii) and is disposed of.

Ms. NUTAN D. SARDESSAI, J.

V.M. KANADE, J.