

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

CRI. WRIT PETITION NO. 3590 OF 2016

Tausif Iqbal Mohd Salim Pinjari

... Petitioner.

V/s.

The State of Maharashtra & Anr.

... Respondents.

Mr. Vishwanath Patil i/by Sandeep Katke, Advocate for the
Petitioner.

Mrs. M. H. Mhatre, APP for the State.

Mr. Yuvraj D. Patil, Advocate for Respondent No.2.

**CORAM : V. M. KANADE AND
Ms.NUTAN D.SARDESSAI, JJ.**

DATE : 21st DECEMBER, 2016

P.C. :

1 Heard the learned counsel appearing on behalf of
the Petitioner, the learned counsel appearing on behalf of the
Respondent No.2-Complainant and the learned APP for the
State.

2 This petition is filed by the Petitioner for quashing
the criminal complaint filed by respondent no.2-complainant
for the offence punishable under section 363 of the Indian
Penal Code. It was alleged in the complaint by respondent
no.2-complainant that the petitioner had abducted his daughter

on 30th March, 2016. Respondent No.2-complainant has filed affidavit, stating therein that the said complaint was filed by him on account of mis-understanding on his part. He further stated that the petitioner and his daughter - Muskan got married on 3rd April, 2016 and they both are residing as husband and wife at Malavani, Malad, Mumbai.

3 Respondent No.2-complainant is present in the court. We have interviewed him. His daughter is also present alongwith her husband. Respondent No.2 has stated that he has no objection if the complaint is quashed. We are satisfied that respondent no.2 has willingly given his consent for quashing the complaint. "Likhit Nama/Marriage certificate" is annexed to the petition and as such, therefore, there is no impediment in quashing the criminal complaint filed by respondent no.2, taking into consideration the ratio of the judgment of Apex Court in the case of **Gian Singh vs. State of Punjab & Anr.**, reported in (2012) 10 Supreme Court Cases 303.

4 The writ petition is, therefore, allowed in terms of prayer clause (a). The petition is disposed of.

(Ms.NUTAN D.SARDESSAI,J)

(V.M.KANADE,J)

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