

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

CRI. WRIT PETITION NO. 4766 OF 2015

Shivaji Sahdev Suryawanshi

... Petitioner.

V/s.

Pooja Sagar Suryawanshi & Anr.

... Respondents.

Mr. Kuldeep Nikam, Advocate for the Petitioner.

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

Mr. M. H. Jahagirdar, Advocate for Respondent No. 2.

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

DATE : 21st DECEMBER, 2016

P.C. :

1 This petition is filed by the petitioner for quashing the criminal complaint filed against him by Respondent No.1-complainant for the offence punishable under section 354 and 354A of the Indian Penal Code.

2 The parties have amicably settled the dispute. Respondent No.1-complainant has filed additional affidavit-in -reply, stating therein that she has no objection if the complaint is quashed. She is present in the court today and has

reiterated whatsoever stated in the said affidavit in reply and gave her consent for quashing the criminal complaint.

3 Taking into consideration the ratio of the judgment of the Apex Court in the case of **Gian Singh vs. State of Punjab & Anr.**, reported in (2012) 10 Supreme Court Cases 303, which is squarely applicable to the facts of the present case, we have no hesitation in quashing the criminal complaint filed by Respondent No.1-complainant.

4 The Petition is, therefore, allowed in terms of prayer clause (a). The other reliefs claimed by the Petitioner in the petition are not pressed by him and therefore, no order is passed in respect of the other reliefs. However, we are informed that after the petition was filed, the charge-sheet bearing no. 35 of 2016 has been filed by the police. The said charge-sheet is also quashed and consequently, the case which is pending in the trial court vide Regular Criminal Case No. 144 of 2016 is also quashed.

(Ms.NUTAN D.SARDESSAI,J)

(V.M.KANADE,J)

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