

FARAD CONTINUATION SHEET

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO.13 OF 2017

Office Notes, Office
memorandum of Coram,
appearances, Court's
orders or directions &
Registrar's orders.

Court's or
Judge's orders.

Shri S.G. Rajput for the Petitioner.
Shri K.V. Sastge, APP for the Respondent No.1.
Ms. Rupali Rajput for the Respondent Nos.2 and 3.

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CORAM : A.S. OKA &
SMT. ANUJA PRABHUDESSAI, JJ

DATED : 1ST FEBRUARY 2017

P.C.:

1. Perused the affidavit of the second Respondent as well as the affidavit of another victim of the offence. The affidavits do not reflect any settlement between the second Respondent and the victim of the offence. The quashing is sought only on the basis of friendly relations of the second Respondent and the victim of the offence with the Petitioner and that they do not want to pursue the complaint. Looking to the nature of the alleged offence, on the

basis of such statements, the power under Section 482 of the Code of Criminal Procedure, 1973 cannot be exercised.

2. Faced with this difficulty, the learned counsel appearing for the Petitioner seeks permission to withdraw the Petition with liberty to file a fresh Petition seeking quashing on merits. Accordingly, the Writ Petition is disposed of as withdrawn with liberty as prayed.

(SMT. ANUJA PRABHUDESSAI, J)

(A.S.OKA, J)