

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

CRIMINAL APPLICATION (APPW) NO.252/2017

AND

CRIMINAL WRIT PETITION NO.725/2016

Aniruddha s/o Arunrao Akotkar

...Versus...

State of Maharashtra through Police Station Officer, Police Station, Paratwada,
Tq. Achalpur, Dist. Amravati and others

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

Court's or Judge's orders

Shri P.R. Agrawal, Advocate for petitioner
Mrs. S.S. Jachak, APP for respondent nos.1 and 3
Shri G.G. Bade, Advocate for respondent no.2

CORAM : PRASANNA B. VARALE AND
ARUN D. UPADHYE, JJ.

DATE : 14.11.2017

1. Heard.
2. By the present petition, the petitioner is before this Court seeking quashment of F.I.R. No.412/2016 dated 8/7/2016 registered at Paratwada Police station for the offences punishable under Section 354 – D of Indian Penal Code and Section 12 of the Protection of Children from Sexual Offences Act, 2012.
3. Learned Counsel for the petitioner submitted that during the pendency of the petition, the parties have arrived at a settlement. He invited our attention to the affidavits filed by the petitioner Aniruddha Akotkar dated 6/11/2017 and respondent no.2 dated 6/11/2017. An application is also filed in this Court

submitting that the petitioner as well as respondent no.2 are students and they are prosecuting their studies. It is submitted that they have decided to give an end to the dispute for their better future. It is submitted in the affidavit of respondent no.2 that at her own will and wish she arrived at an amicable settlement. It is submitted by learned Counsel for the respondent no.2 that as the petitioner and the respondent no.2 are prosecuting their studies for their respective professional courses, the criminal proceedings may not be a hanging sword to disturb their academic career and as the parties have settled the dispute amicably the criminal proceedings arising out of F.I.R. be quashed.

4. The respondent no.2 is present in this Court. On a query made to the respondent no.2, she admitted that an affidavit is filed in this Court and as she is prosecuting her studies the proceedings may not be obstacle in her academic career. The learned Counsel for the petitioner relied on the judgment of this Court, reported in **2015 ALL MR (Cri) 2722 (Poonam d/o Munjaji Kumbhkarne and others...Versus...State of Maharashtra)**.

5. In view of the above referred facts, by exercising our powers under Section 482 of the Code of Criminal Procedure, we allow the writ petition. F.I.R. No.412/2016 dated 8/7/2016 registered with Police Station Paratwada against the petitioner for the offences punishable under Section 354-D of Indian Penal Code and Section 12 of the Protection of Children from Sexual Offences Act and the proceedings arising out of the F.I.R. are quashed and set aside.

6. The criminal application as well as writ petition stand disposed of.

JUDGE

JUDGE

Wadkar