

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 58 OF 2017**

Mr. Vidyasagar Vinayakrao Chavan

..Applicant

Vs.

State of Maharashtra & Ors

..Respondents

Mr. V. V. TarePatil for the Applicant

Mr. R. D. Suryawanshi for the Respondent No.2

Mr. A. R. Kapadnis APP for the Respondent State

**CORAM :R. M. SAVANT, &
SANDEEP K SHINDE,JJ
DATE : 30th JANUARY, 2018**

P.C.

1 The above Criminal Application has been filed for quashing of the FIR being No.I-81/2016 registered with the Chitalsar Police Station, District Thane for the offence punishable under Section 376 of the IPC.

2 Having regard to the fact that the offence under Section 376 is of the serious nature and is held to be offence against the society. We are not in a position to accede to the request of the Petitioner for quashing the FIR on the basis of the material which is on record. The Learned Counsel for the Petitioner initially sought to contend that the relationship between the Petitioner and the first informant was consensual, however thereafter sought to retract from the same by contending that the Petitioner denies the said relationship.

If that be so, the Applicant would be worst of then if he were to accept that the relationship was consensual. In view of the aforesaid we are not inclined to interdict in favour of the Applicant. The above Criminal Application is accordingly rejected.

[SANDEEP K. SHINDE, J]

[R.M.SAVANT, J]