

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

**CRIMINAL WRIT PETITION NO. 533 OF 2018**

Satish Bajirao Deshmukh .. Petitioner  
Vs.  
The State of Maharashtra & anr. .. Respondents

Mr.Arun Rajput i/b Ms.Anjali Patil, for the Petitioner.  
Ms.Pracheta Rathod, for Respondent No.2.  
Mrs.G.P. Mulekar, APP for State.

**CORAM : SMT. V.K.TAHILRAMANI ACTING C.J.  
AND M.S.KARNIK, J.**

**22<sup>nd</sup> FEBRUARY, 2018**

**ORAL JUDGMENT (PER SMT. V.K.TAHILRAMANI ACTING C.J.) :**

1. Rule. By consent rule is made returnable forthwith and the matter is heard finally.

2. The petitioner is seeking quashing of FIR No. 174/2015 of Colaba Police Station. The said case is under Sections 376(1), 312 and 506 of IPC. FIR was lodged on 22/12/2015. The said case is now pending before learned

Sessions Court at Mumbai and it is numbered as Sessions Case No. 116 of 2017.

3. Heard learned Counsel for the petitioner/original accused, learned Counsel for the respondent No.2/original complainant and learned APP for State.

4. The complainant at the time of lodging of FIR was 34 years. The complainant is present before the Court so also the petitioner is also present before the Court. The complainant has stated that the FIR was lodged on account of misunderstanding and in the heat of anger. She has further stated that dispute has been amicably settled between her and the petitioner and she has no objection to quash FIR and proceedings relating thereto. She has also filed affidavit to the above effect which is annexed at Exhibit 'B' collectively to the Petition. She has also tendered copy of her Driving Licence which is also annexed at Exhibit 'B' collectively to the Petition.

5. Looking to the fact that matter has been amicably settled between the parties and looking to the fact that the complainant i.e. respondent No.2 does not wish to pursue her case against the petitioner, we are of the opinion that no purpose would be achieved by continuing with the prosecution in the said case. In this view of the matter, FIR No. 174 of 2015 of Colaba Police Station and the proceeding relating thereto are quashed.

6. Rule is made absolute in the above terms.

**(M.S.KARNIK, J.)**

**(ACTING CHIEF JUSTICE)**