

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

CRIMINAL WRIT PETITION NO.5155 OF 2017

Mohd Khalid Samiuddin Baig : Petitioner.
Versus
State of Maharashtra : Respondent.

Mr. Santraj R Patel for the Petitioner.
Mrs. Anamika Malhotra, APB for the Respondent/State.

**CORAM : R. M. SAVANT &
SANDEEP K SHINDE, JJ.**
DATE : 12th FEBRUARY 2018

P.C.

1 The above Writ Petition has been filed for quashing of the FIR being No.606 of 2017 registered with Malwani Police Station, Mumbai for the offences punishable under Section 376 of the Indian Penal Code and Sections 4, 8 and 12 of the POCSO Act, 2012.

2 The case of the Petitioner as urged by the learned counsel is that the relationship between the Petitioner and the First Informant was a consensual one as can be seen from the statement of the First Informant wherein she has stated that she was in relationship with the Petitioner for last 4 years and thereabout. The Petitioner is desirous that this Court should endeavour to embark upon an exercise of appreciating the material on record.

3 It is required to be noted that the offences alleged are under

Section 376 of the Indian Penal Code and under Sections 4, 8 and 12 of the Special Act i.e. POCSO Act 2012. We have also perused the statement of the First Informant recorded under Section 164 of the Criminal Procedure Code. It is therefore not possible for this Court to grant any relief in the above Writ Petition. The above Writ Petition is accordingly dismissed.

[SANDEEP K SHINDE, J]

[R.M.SAVANT, J]