

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

CRIMINAL APPLICATION (APL) NO.114 OF 2019

Amit Nivrutti Malunje

...Petitioner

vs.

The State of Maharashtra and Anr.

...Respondents

Mr. H. A. Mundargi a/w Mr. Jayant Bardeskar for the Petitioner.

Mr. A. D. Kamkhedkar APP for the Respondent/State.

Mr. Tejas Hilage with Respondent No.2.

Mr. Umesh Dhumal, API Karkamb Police Station, Solapur.

**CORAM : B. P. DHARMADHIKARI &
REVATI MOHITE DERE, JJ.
DATE : 25/02/2019.**

P.C.:

1. Applicant accused and respondent No.2 are present and jointly request for quashing of FIR which is under section 376 of IPC.

2. Their respective counsel pointed out that both are adults and were already married. Relationship was consensual. Respondent No.2 is giving affidavit today bringing on record her no objection.

3. Fact shows that incident dated 12/11/2018 has been reported on 14/12/2018.

4. In view of facts we find that nothing fruitful will come out of the prosecution.

5. Hence subject to the applicant and respondent No.2 each paying amount of Rs.10,000/- as costs to Police Welfare Fund of State of Maharashtra we make rule absolute in terms of prayer clause (a).

(REVATI MOHITE DERE, J.)

(B. P. DHARMADHIKARI, J.)