

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

CRIMINAL APPLICATION (APL) NO.129 OF 2019

Abhishek Vireshkumar Goswami ...Applicant

vs.

The State of Maharashtra and Anr. ...Respondents

Mr. V. K. Rathod i/b Mr. A. S. Patel for the Applicant.

Ms. G. R. Raghuwanshi for Respondent No.2.

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

**CORAM : B. P. DHARMADHIKARI &
REVATI MOHITE DERE, JJ.**

DATE : 25/02/2019.

P.C.:

. Oral leave to correct spelling of Respondent No.2 in the title clause is granted. Applicant accused present with his advocate. Respondent No.2 complainant is present with his advocate. Learned APP appears for Respondent No.1.

2. Applicant and respondent No.2 jointly request for quashing FIR which is under section 420 of IPC and sections 66(c) and (d) of the Information Technology Act.

3. Consent Terms are tendered on record on affidavit by respondent No.2 and Consent Terms are also counter signed by their respective advocates.

4. It appears that parties were roommates. It is alleged that applicant by using cell phone of Respondent No.2 ordered mobile.

5. In the situation as there is no public angle to the crime we are inclined to accept the joint request.

6. However as investigation has been done, we direct the parties to pay amount of Rs.10,000/- as cost to the Police Welfare Fund within a period of 3 weeks from today. After said costs are paid relief in terms of prayer clause (A) shall become absolute.

(REVATI MOHITE DERE, J.)

(B. P. DHARMADHIKARI, J.)