

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 1782 OF 2019

Rahul s/o. Santosh Parkhe ... Petitioner

Versus

The State of Maharashtra and anr. ... Respondents

Mr. Rajendra Deshmukh a/w Mr. Chetan Damre for the petitioner.

Mr. Aashish Satpute for respondent no. 2.

Mr.K.V. Saste, APP for the State.

CORAM : B.P. DHARMADHIKARI &
NITIN R. BORKAR, JJ.
DATE : DECEMBER 12, 2019

P.C.:

Heard learned counsel for the petitioner with petitioner, counsel for respondent no.2 with respondent no. 2 and learned APP for the State.

2. Petitioner and respondent no. 2 are jointly requesting for quashing of Sessions Case No. 474 of 2016 pending on the file of Additional Sessions Judge, Pune for the offences under section 408, 420, 465, 467, 468, 471, 474, 376 and 34 IPC.

3. Respondent no.2 complainant has given affidavit before this court in March, 2019 itself giving no objection for quashing and setting aside of the charge sheet. She also accepts that the

entire money is received back by her.

4. Learned APP has raised objection pointing out that section 376 IPC is also involved. The report made by respondent no.2 does not make any grievance in relation to section 376 IPC. The grievance was only about the money taken by petitioner from respondent no. 2. Both were employed in the same company and therefore, colleagues of each other.

5. In this situation, in view of the joint request made as there is no public angle involved, we make the rule absolute in terms of prayer clause (c).

(NITIN R. BORKAR, J.)

(B.P. DHARMADHIKARI, J.)