

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

WRIT PETITION NO.2544 OF 2017

Nadeem Nisar Shaikh	...Petitioner
Versus	
The State of Maharashtra and Anr.	...Respondents

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Mr. Madhukar P. Dalvi for the Petitioner.
Mr. Siddhesh S. Borkar for the Respondent No.2.
Smt. A.S. Pai, APP for the Respondent -State.

CORAM : B.P. DHARMADHIKARI AND

SMT. ANUJA PRABHUDESSAI, JJ.

DATED: 14th FEBRUARY, 2019.

P.C.:-

Affidavit tendered by victim and her father in court is taken on record.

2. The Petitioner-accused and Respondent No.2 -victim are present with their respective advocates and request for quashing the FIR, which is under Section 354 (A) (D) of the Indian Penal Code and Section 12 of the Protection of Children from Sexual Offences Act, 2012.

3. The learned APP points out that trial has already proceeded further and examination-in-chief of mother is already recorded. Now

she is to be cross examined. Victim is now major and she is present with her parents. Parties jointly point out that accused is now married and marriage of victim is also to be performed. Relationship between victim and accused was only friendly and they may have written some letters to each other. They point out that in any case victim then was minor. Parents of the victim taking overall view of the matter and in the interest of future of victim as also petitioner's family have decided to settle the matter amicably and not to press the charge.

4. The parents reiterated their desire in Court. Victim also informs Court her non inclination to prosecute Petitioner.

5. In this situation, in the interest of welfare of all we make rule absolute in terms of prayer clause (a).

(SMT. ANUJA PRABHUDESSAI, J.) (B.P. DHARMADHIKARI, J.)