

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CR.W.P.NO. 3471 OF 2019

Mr.Akshay Vilas Patil ... Petitioner

Versus

State of Maharashtra and anr. ... Respondents

Mr. Kedar Patil for the petitioner.

Mr. Vikramsingh Parmar for respondent no. 2.

Mr. Deepak Thakre, pp A/W Smt. S.,D. Shinde, APP for the State.

Mr. Vijay Khedkar, API, Panvel Taluka Police Station present.

CORAM : B.P. DHARMADHIKARI &
SMT. S.S. JADHAV, JJ.
DATE : NOVEMBER 05, 2019

P.C.:

Petitioner as also respondent no.2 are present with their respective advocates. Learned APP appears with instructing officer for respondent no.1. The IO has identified respondent no. 2.

2. Prayer is to quash and set aside CR No. 219 of 2018 under section 376(1), 376(2), 313 and 506(2) IPC. Learned APP informs that the chargesheet has been filed.

3. Respondent no. 2 has filed affidavit giving no objection.

4. It appears from the invitation card annexed with the affidavit and the statement made on affidavit by respondent no. 2 that she is getting married soon. The allegations in the report prima facie creates some doubt about the invocation of sections mentioned supra. In this situation, without considering the controversy on merits in more details, we find it in the interest of justice to make the rule absolute in terms of prayer clause (b). Petition is accordingly allowed and disposed of.

(SMT. S.S. JADHAV, J.)

(B.P. DHARMADHIKARI, J.)