

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION (APL) NO. 99 OF 2020

Mr. Vishal Ashok Mural ... Applicant

Versus

The State of Maharashtra and anr. ... Respondents

Mr. Avinash Godhia for the applicant.

Mr. Shankar Kamble for respondent no. 2.

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

**CORAM : B.P. DHARMADHIKARI &
NITIN R. BORKAR, JJ.**
DATE : JANUARY 22, 2020

P.C.:

Complainant respondent no.2 has given affidavit dated 10/01/2020 stating that she is not willing to prosecute the matter. She is present in court with her advocate and states that she is happily married elsewhere and is presently about 8.1/2 months pregnant.

2. The applicant is also present with his advocate.

3. Perusal of the statement in support of the FIR shows that the alleged offence has taken place between 25/4/2015 and 10/06/2015 and the FIR has been lodged on 21/7/2015 for the offences under section 376, 417, 323, 504 and 506 IPC.

4. The applicant claims that the relationship was consensual. It is not in dispute that the chargesheet has been filed after completing the investigation.

5. In view of the developments noted supra, we find that nothing fruitful will come out of the prosecution.

6. Therefore, subject to the applicant and respondent no.2 each paying to the Police Welfare Fund of the State of Maharashtra Rs.25,000/- as cost within four weeks from today, we make the rule absolute in terms of prayer clause (1).

(NITIN R. BORKAR, J.)

(B.P. DHARMADHIKARI, J.)