

Shyamkumar M. Tanti ... Petitioner
V/s.
State of Maharashtra and anr. ... Respondents

Ms Shraddha D. Jadhav a/w. Hemen S. Thakkar for the
Petitioner.
Mr. S.R. Shinde, APP for the Respondent – State.
Ms Anjali B. Mannapalli for Respondent No.2.

**CORAM : B.P. DHARMADHIKARI,
ACTING CHIEF JUSTICE &
N.R. BORKAR, J.**

DATE : FEBRUARY 26, 2020.

P.C.

1] Respondent No.2 - complainant is present with her advocate. The petitioner is present with his advocate. APP appears for the respondent - State.

2] On the complaint made by respondent No.2, FIR has been registered on 2nd August 2016 under sections 363 and 376 of IPC and under section 4 of POCSO.

3] Respondent No.2 has stated that her daughter born on 23rd May 1998 was misled by the present petitioner.

4] Investigation reveals that the said daughter (victim) went with the petitioner to his native place in Jharkhand, where they got married with each other.

5] Today, the victim has girl child aged about 4 months. The marriage has been performed on 25th May 2016 and the daughter is born on 10th October 2019.

6] The victim is now residing with the petitioner at his house.

7] Respondent No.2- mother, in this situation, has requested the Court to quash and set aside her complaint and given no objection separately on affidavit. Orally also, she has requested the Court to quash her complaint.

8] We have questioned the victim generally and we find that she is residing with the petitioner on her own volition.

9] As nothing fruitful will come out of the prosecution and because of marriage between the parties, we are inclined to intervene.

10] Accordingly, we make Rule absolute in terms of prayer clause “a.” and dispose of the petition.

(N.R. BORKAR, J.)

(ACTING CHIEF JUSTICE)