

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

WRIT PETITION NO.5910 OF 2019

Armanali Tabarakali Chaudhary

...Petitioner

vs.

The State of Maharashtra and Anr.

...Respondents

Saili Dhuru i/b Kuldeep S. Patil for the Petitioner.

Smt. S. D. Shinde, APP for the Respondent/State.

Juanita Menezes for the Respondent No.2.

**CORAM : B. P. DHARMADHIKARI &
N. R. BORKAR, JJ.**

DATE : 8/1/2020.

PC.:

. Petitioner and respondent No.2 are present with their respective advocates. Learned APP appears for respondent No.1.

2. Respondent No.2 has filed affidavit today stating that she does not want to prosecute FIR lodged by her on 2/8/2019.

3. Offence is registered under section 376 (2) (n) of IPC and under various sub-sections of section 3 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act and section 7 of the Protection of Civil Rights Act.

4. The parties state that they are married with each other on 16/10/2019 and the marriage certificate issued by Mutavalli, President of Secretary is produced before Court.

5. We find from affidavit handed over by respondent No.2 that after marriage she has changed her religion and name. She has given birth to a male child on 21/12/2019. She is residing with the applicant at Ahmedabad. She is born on 13/6/2001 and she has taken education upto 6th standard.

6. We direct applicant as also respondent No.2 to place on record their recent photograph with address at which they are residing on proper affidavit within next two weeks.

7. Subject to this compliance and in view of joint request and affidavit we make Rule absolute in terms of prayer clause (a).

(N. R. BORKAR, J.)

(B. P. DHARMADHIKARI, J.)