

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

**CRIMINAL APPLICATION NO. 616 OF 2021**

Smt. Sangita Mareppa Dorkar @ Ghondali  
and others.

..Applicants.

Versus

The State of Maharashtra & Anr.

..Respondents

**WITH  
CRIMINAL APPLICATION NO. 614 OF 2021**

Mahendra D. Dorkar and others.

..Applicants.

Versus

The State of Maharashtra & Anr.

..Respondents

Ms. Bimala Chounal i/b. N. K. Sharma for Applicants in  
APL/616/2021 and for Respondent No.2 in APL/614/2021.

Mr. Viral Rathod a/w. Vishesh Jain i/b. Pranali Ranade for  
Respondent No.2 in APL/616/2021 and for Applicant in  
APL/614/2021.

Ms. M. H. Mhatre, APP for State/Respondent No.1.

**CORAM : NITIN JAMDAR AND  
SARANG V. KOTWAL, JJ.**

**DATE : 4 DECEMBER 2021**

**P.C. :**

. Heard the learned counsel for the parties.

2. Both these Applications are filed for quashing of the

F.I.Rs. which are cross F.I.Rs. The basis of filing these Applications for quashing of F.I.Rs. is that the Respondents in respective Applications have consented for quashing of F.I.Rs. and there is consensus amongst the parties in respect of both Applications.

3. In the Application No.616 of 2021 the F.I.R. is filed not only under the offences punishable under the Indian Penal Code, but also under sections 8 and 12 of the Protection of Children from Sexual Offences Act. Having perused the nature of allegations in the F.I.R. regarding the minor survivor, we find that the request of the Applicants in this Application that F.I.R. No.169 of 2021 be quashed by consent cannot be accepted. The learned counsel for the Applicants in this Application states that, if that be the position, the Applicant No.1 who is Respondent No.2 in Application No.614 of 2021 cannot give consent. Both these Applications for quashing of F.I.Rs are based on the sole premise of consent by the Respondents.

4. In the light of what is stated above, both the F.I.Rs. cannot be quashed by consent. As regard F.I.R. No.169 of 2021 is concerned, the learned APP states on instructions that the charge-sheet is likely to be filed. It is always open to the Applicants, like any other, to apply for discharge when the charge-sheet is filed.

5. With these observations, the Criminal Application No.616 of 2021 is disposed of.

6. As regards Criminal Application No.614 of 2021 is concerned, this Application is not filed seeking quashing of F.I.R. on merits, but on consent which we have dealt with earlier. Therefore, no order can be passed in both these Applications, which are disposed of.

(SARANG V. KOTWAL, J.)

(NITIN JAMDAR, J.)