

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

CRIMINAL WRIT PETITION NO.3661 OF 2021

Vivek Chandrakant Surti

.... Petitioner

versus

State of Maharashtra & Anr.

.... Respondents

.....

- Ms.Lalita Savekar i/b. Kulkarni & Associate, Advocate for Petitioner.
- Mr.Rajendra Bade, Advocate for Respondent No.2.
- Mr.J.P. Yagnik, APP for the State/Respondent.

**CORAM : NITIN JAMDAR &
SARANG V. KOTWAL, J.**

DATE : 22 NOVEMBER 2021

P.C. :

. Heard learned counsel for the parties.

2. The Petitioner is seeking to quash the FIR filed by the Respondent No.2. The ground argued before us for quashing the FIR is that the Respondent No.2 has given consent for quashing after the Petition is filed for quashing the FIR on merits. The learned counsel for Respondent No.2 orally states that the Respondent No.2 has given consent for quashing.

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3. We have perused the contents of the FIR. The allegation of uploading pornographing video of Respondent No.2 on a public website, is of serious nature. This allegation does not fall within the parameters laid down for quashing of FIR by consent neither we find any case is made out for quashing of FIR on merits in the extraordinary jurisdiction of the Court.

4. Having expressed this opinion, the learned counsel for the Petitioner states that the Petitioner may be permitted to withdraw this Petition as the Petitioner is desirous of applying for discharge after the charge-sheet is filed.

5. In light of this statement, Writ Petition is disposed of as withdrawn. The application for discharge if so filed, will be considered on its own merits.

(SARANG V. KOTWAL, J.)

(NITIN JAMDAR, J.)