

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

CRIMINAL WRIT PETITION NO. 3396 OF 2021

Ganesh Vijay Mahadik

..Petitioner

Versus

The State of Maharashtra & Anr.

..Respondents

None for Petitioner.

Ms. S. D. Shinde, APP for State/Respondent No.1.

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

DATE : 24 NOVEMBER 2021

P.C. :

1. None appears for the Petitioner. This petition is circulated on a praecipe mentioning that the matter is settled out of the court and the informant and victim are desirous to withdraw the F.I.R.

2. The petition does not contain any such averment. On the contrary, the F.I.R. refers to the offences punishable under sections 4, 8 and 12 of the Protection of Children from Sexual Offences Act and under section 376 of IPC. It is quite obvious that F.I.R. with such contents cannot be quashed by consent and, prima facie, even on merits.

3. Since the Petitioner is not present, the petition is dismissed for non prosecution.

(SARANG V. KOTWAL, J.)

(NITIN JAMDAR, J.)