

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (APL) NO. 252/2021

- 1] **Kirti D/o Sundar Neware,**
Aged about 21 years, Occ. Nurse,
R/o. Ward No. 2, Near Lahari Asharam,
Kamtha, Gondia, Maharashtra 441601
- 2] **Kaustub S/o Naren Sarkar,**
Aged about 31 years, Occ. Doctor,
R/o. Ward No. 4, Patansavangi, Dist. Nagpur,
Maharashtra-441113

.... **APPLICANT(S)**

// VERSUS //

State of Maharashtra,
Through PSO, Wadi Police Station,
Wadi, Dist. Nagpur-440 023

.... **NON-APPLICANT**

Shri D.M. Khandait, Advocate for the applicant(s)
Ms. M. Deshmukh, APP for the non-applicant

CORAM : Z.A.HAQ & AMIT B. BORKAR, JJ.
FEBRUARY 15, 2021

ORAL JUDGMENT : (PER:- Z.A. HAQ, J.)

- 1] Heard.
- 2] **RULE.** Rule made returnable forthwith.

3] The accused (applicant no. 2) and informant (applicant no. 1) have jointly filed this application under Section 482 of the Code of Criminal Procedure praying that the F.I.R. bearing No. 0434/2019 registered against the applicant no. 2 – accused with the non-applicant – Police Station for the offences punishable under Sections 354-A and 354-D of the Indian Penal Code and Sections 67 and 67-A of the Information Technology Act be quashed.

4] According to the applicants, the matter is amicably worked out. The criminal application is supported by affidavit of the applicant no. 1 – Informant. The applicant no. 1 – Informant has stated that she is not interested in the prosecution of the applicant no. 2 – accused, as the matter is settled by her with the applicant no. 2 without any force or pressure. The investigation is at the preliminary stage and charge-sheet is not yet filed.

5] In view of the above, we find that this is a fit case to exercise the jurisdiction under Section 482 of the Code of Criminal Procedure as the pendency of the criminal proceedings against the applicant no. 2 would not serve any fruitful purpose.

6] Hence, the following order is passed :-

F.I.R. No. 0434/2019 registered against the applicant no. 2 with the non-applicant – Police Station is quashed.

Rule is made absolute in the above terms.

JUDGE

JUDGE