

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

903 CRIMINAL APPLICATION NO. 455 OF 2021

**AAKASH SHARAD SONTAKKE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

.....

Advocate for Applicant : Mr. Chaudhari S.U.
APP for Respondent-State : Mr. R D Sanap
Advocate for Respondent 2 : Mr. Jain G. D.

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**CORAM : SMT. VIBHA KANKANWADI AND
ABHAY S. WAGHWASE, JJ.**

DATED : 20 DECEMBER 2022

PER COURT :-

1. Learned Advocate for applicant is submitting the undertaking of the applicant. It is taken on record and marked as Exhibit "A".
2. The applicant stood prosecuted for the offence punishable under section 66(C) of the Information Technology Act, 2000 and Section 506 of the Indian Penal Code, which came to be registered on the basis of the FIR lodged by respondent no.2. The charge-sheet is also filed and it is pending before the Court of the Chief Judicial Magistrate, Ahmednagar vide Charge-sheet No.3 of 2020.
3. It appears that the matter is now settled. The affidavit-in-reply has been filed by respondent no.2, stating that she has no objection for the quashment of the FIR as well as charge-sheet as she has no

desire to prosecute the applicant further.

4. Learned Advocate for respondent no.2 also submits that since the respondent no.2 is now married, she does not want to get involve now.

5. It was noted that the offence was committed through Social Media Account and, therefore, we had insured that the applicant will not indulge in such activities henceforth and thereby the undertaking was called and it has been tendered Exhibit "A". In view of all these developments, it would be now unjust to ask the applicant to face the trial, so also to the respondent no.2 to undergo the mental agony by recording the evidence. Therefore, this is a fit case where we are exercising our inherent powers under section 482 of the Criminal Procedure Code. Hence, we proceed to pass the following order.

O R D E R

- i. Criminal application stands allowed in terms of prayer clause "B".
- ii. The applicant to deposit an amount of Rs.10,000/- (Rs.Ten Thousand) with the High Court Legal Services Authority, Aurangabad before 3.1.2023.

[ABHAY S. WAGHWASE, J.]

[SMT. VIBHA KANKANWADI, J.]

aaa/-
