

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

CRIMINAL WRIT PETITION NO. 1637 OF 2020

Asha Samdas Bajaj

.. Petitioner

Versus

The State of Maharashtra
Through Chalisgaon Police Station,
District Jalgaon

.. Respondent

Mr. Nilesh S. Ghanekar, Advocate for the Petitioner.

Mr. S. W. Munde, APP for Respondent.

CORAM : KISHORE C. SANT, J.

DATED : 16th DECEMBER, 2022.

P. C. :-

1. The petitioner is praying for quashing of the complainant filed against her. She had initially filed revision application in the learned Sessions Court bearing Criminal Revision Application No. 31/2019 challenging the order of issuance of process passed by the learned J.M.F.C., Chalisgaon in R.C. C. No. 90/2016. It is alleged that this petitioner though had not obtained Sanad by that time, she had identified her own mother who was accused in Crime No. 283/2010 for the offence punishable under Sections 420, 504, 506 r/w 34 of the Indian Penal Code in R.C.C. No. 225/2011 in the Court of learned J.M.F.C., Chalisgaon. Therefore, FIR came to be lodged by the

complainant in that case making allegations against the present petitioner.

2. It does appear from the record that on the date on which she identified the accused who was her mother, she was only a student of law and not an advocate. The learned Trial Court was pleased to issue process against the petitioner. The investigation was carried. The report was filed that, she is not guilty of the offence, but there was material to prosecute her under Section 45 of the Advocates Act. The order was challenged by filing revision. The same came to be rejected by order dated 20.11.2019 by the learned Additional Sessions Judge, Jalgaon.

3. Now, the petitioner has tendered an unconditional apology in this Court that henceforth she will take proper care since it was solicitory instance and that she was taking education. She had bonafide identified accused who also happens to be her mother. It was not a question of falsely identifying someone or otherwise and by now she has also become an advocate and she is practicing as advocate. An apology is tendered.

4. By accepting the apology, the petition is allowed. No purpose would be served by trying the petitioner and in view of the apology, the

proceeding of R.C.C. No. 90/2016 pending before the learned J.M.F.C.,
Chalisgaon is hereby quashed. The petitioner stands discharged.

(KISHORE C. SANT, J.)

PS.B.