

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 2708 OF 2021

VIJAY KONDIRAM PAGARE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Hiwrale Gautam J

APP for Respondent/State : Mr. K. S. Patil

Advocate for Respondent No.2 : Mr. K. G. Gaikwad

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**CORAM : SARANG V. KOTWAL &
BHARAT P. DESHPANDE, JJ.**

DATE : 24th JUNE 2022.

Per Court :

1. The application is filed for quashing of the proceedings pending before the Adhoc District Judge-1 and Additional Sessions Judge, Dist. Jalna in Special Case No. 300/2021 under Section 354-D, 506 of Indian Penal Code ('IPC' for short) and Section 12 of the Protection of Children from Sexual Offences Act, 2012 ('POCSO' for short).

2. The Applicant is a Vice-Principal of the College. There are allegations in the FIR lodged on 25.10.2021 by cousin of the victim.

She had sent a message to the Applicant asking about commencement of offline classes. It is alleged that at that time, the Applicant had replied to that message. FIR mentions that on two to three occasions the Applicant did not put his signature on the admission papers and finally, he had reluctantly signed those papers. On this basis, FIR is lodged.

3. Learned Counsel for the Applicant as well as learned Counsel for the Respondent No.2 have stated that the matter is amicably settled and the Informant, the victim and her family do not want to proceed against the Applicant. Affidavits are filed by the First Informant as well as by the mother of the victim. In those affidavits, it is clearly stated that they have no objection, if the proceedings are quashed.

4. We have considered these submissions. Allegations in the FIR, do not attract any provision of the POCSO Act. It appears that there was some issue regarding admission of the victim. That resulted in registration of this FIR. The dispute is now amicably settled. In view of this, no purpose will be served by continuation of proceedings and the

proceedings can be quashed in the interest of justice. Hence the following order.

ORDER

(i) The proceedings pending on the file of the Adhoc District Judge-1 and Additional Sessions Judge, Dist. Jalna in Special Case No. 300/2021, are quashed and set aside.

(ii) The Criminal Application is disposed of.

[BHARAT P. DESHPANDE, J.]

[SARANG V. KOTWAL, J.]

Najeeb...