

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

CRIMINAL APPLICATION NO. 346 OF 2021

Ronak Dinesh Rajput	...Applicant
Versus	
The State of Maharashtra and Ors.	...Respondents

Ms. Pranothi Pawar - Advocate for the Applicant
Ms. A. S. Pai. - PP for the Respondent No. 1
Mr. Ravish Mishra – Advocate for the Respondent No. 2.

CORAM :	PRASANNA B. VARALE & S. M. MODAK, JJ.
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DATE :	14th MARCH, 2022
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P. C. :-

1. Heard Ms. Pranothi Pawar, the learned counsel for the Applicant, Mr. Ravish Mishra, the learned counsel for the Respondent No. 2 and Ms. A. S. Pai, learned PP for the Respondent-State.

2. The Applicant as well Respondent No. 2 are personally present in this Court.

3. The present application is filed for seeking quashment of F.I.R. lodged at M.H.B. Colony Police Station Mumbai on 06/02/2021 against the Applicant for commission of offence under Sections 376,420,406 of the Indian Penal Code.

4. Perusal of the report and the statement of the Respondent No. 2

placed on record at page no. 9 show that some and substance of the report is acquaintance between the Applicant and Respondent No. 2 resulted in their close association and subsequently the love relationship. The Applicant introduced himself to the parent of the Respondent No. 2 and family members agreed for marriage between the Applicant and Respondent No. 2. The applicant initially informed Respondent No. 2 that he is a Pilot and subsequently submitted that he left his job and started his own business and secured large sum amount from the Respondent No. 2. It is also submitted in the statement that on assurance of marriage that their marriage will take place in due course of time the Applicant exploited Respondent No. 2 physically.

5. The learned counsel appearing for the parties submitted that subsequent to lodgment of the report, due to intervention of Senior members in the family and some mutual friends the Applicant and Respondent No. 2 have decided to settle their dispute and misunderstanding amicably. Our attention is invited to the affidavit filed on behalf of Respondent No. 2. It is stated in paragraph nos. 4 and 5 which are read thus:

4. That due to the involvement of our family and friends, dispute and the misunderstanding between us has amicably settled, they have agreed to pay me an amount of Rs. 11,50,000/- as settlement and compensation

amount. That an amount of Rs. 8,00,000/- has been paid to me vide Demand Draft No. 508556 dated 09/03/2021, drawn on Bank of Baroda, Yoginagar Branch, Mumbai, in my favour. That the balance amount of Rs. 3,50,000/- will be paid to me on the date of Quashing of the above FIR in High Court, Mumbai.

5. That hence I do not want to proceed and lead any evidence in the complaint i.e. C.R. No. 66 of 2021, registered by me on 06/02/2021 against Ronak Dinesh Rajput, which came to be registered at M.H.B. Colony Police under Section 376, 420, 406 of IPC.

6. The Respondent No. 2 personally present in this Court. It is agreed by the Respondent No. 2 on her own will and wish, she is having No Objection for quashment of the report and terms in so far as the payment of the amount referred in para no. 4 are duly complied by the Applicant. It is submitted by the Respondent No. 2 in the affidavit that she has decided to forgive the Applicant and is desirous to move on in her life and on humanitarian ground, she is not willing to pursue the complaint lodged at her instance against the Applicant.

7. In our opinion, on the backdrop of these facts, all proceedings against the Applicant would be nothing but futile exercise. As parties are expressed their willingness to adapt and approach the principle of forgive

and forget and move on in their life we are of the opinion that by allowing the quashment of the proceedings, the ends of justice are secured and this is a fit case to exercise our power under Section 482 of the Criminal procedure Code. Accordingly, the Petition is allowed in terms of prayer clause 'a'.

(S. M. MODAK, J.)

(PRASANNA B. VARALE, J.)