

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

**CRIMINAL APPLICATION NO.115 OF 2021**

Mr. Sunil Hargovind Batra

..Applicant

Versus

Mrs. Megha Pradeep Lohia & Anr.

..Respondents

Mr. Shailesh Kantharia i/by Asmita Bhoir, for the Applicant.

Mr. J. P. Yagnik, APP for the Respondent/State.

Mr. Harsh Malhotra, for the Respondent No.1.

Mr. Sunil Hargovind Batra – Applicant present.

Respondent No.1/Complainant present on video conference.

**CORAM : NITIN W. SAMBRE &  
R. N. LADDHA, JJ.**

**DATE : 20<sup>th</sup> JULY, 2023**

**PC.**

1. The prayer of the applicant is for quashing of FIR being Crime No.432 of 2020 registered with Versova Police Station on 10<sup>th</sup> December, 2020 for an offence punishable under Sections 509, 506, 500 of IPC based on the incident dated 4<sup>th</sup> December, 2020.

2. The applicant has tendered an unconditional apology to the respondent No.1/complainant. The respondent No.1/complainant who is connected through video conference and is identified by her lawyer Mr. Harsh Malhotra who is present in the Court has also tendered consent affidavit accepting apology.

3. The repentance expressed by the applicant is taken note of.

4. The assurance given by applicant - Mr. Sunil Hargovind Batra herein that he shall not repeat the similar act in future is also taken on record.

5. In the aforesaid background, if we consider the very claim put forth in the application with a prayer for quashing of FIR, what can be noticed is, the stand taken by the applicant, so also, the respondent No.1/complainant will not lead to the logical end thereby achieving the conviction of the applicant in the matter.

6. The law laid down by the Apex Court in the matter of ***Gian Singh Vs. State of Punjab & Anr.*** reported in ***(2012)10 SCC 303*** and ***Narinder Singh & Ors. Vs. State of Punjab & Anr.*** reported in ***(2014) 6 SCC 466***, is required to be appreciated in the aforesaid factual background.

7. In the backdrop of above, we deem it appropriate to allow the present application in view of consent affidavit tendered by the respondent No.1/complainant in terms of prayer clause (b) which reads thus :-

“(b) That this Hon’ble Court be pleased to quash and set aside C. R. No.432 of 2020 registered with Versova Police Station, Mumbai for offence punishable u/s.

509, 506, 500 of Indian Penal Code, on any such terms and condition as this Hon'ble Court may deem fit and proper.”

8. However, the same shall be subject to payment of cost of Rs.5000/- to be paid by the applicant to the Kirtikar Law Library within period of two weeks from today and produce acknowledgment of payment of cost within said period before the Registry.

9. In case if the cost is not paid or the acknowledgment is not produced by the applicant before the Registry, the matter be listed before this Court for passing appropriate orders against the applicant.

10. The application as such stands disposed of.

[R. N. LADDHA, J.]

[NITIN W. SAMBRE, J.]