

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 1515 OF 2023**

Dipul Roopa Chauhan

... Petitioner

V/s.

The State of Maharashtra & Anr.

... Respondents

Ms. Neha Pandey for Petitioner.

Mr. S.S. Hulke, A.P.P. for Respondent No.1-State.

P.I. Mr.Vijaykumar A. Chavan, Mira Road Police Station is present.

**CORAM : A. S. GADKARI AND
PRAKASH D. NAIK, JJ.****DATE : 25th April 2023.****P.C. :**

1. Petitioner, original accused in CR No. 0542 of 2022, dated 31st December 2022, registered with Mira Road Police Station, Mira-Bhaindar, Vasai-Virar Police Commissionerate, District Thane, under Sections 354-C, 354-D, 500, 506 of Indian Penal Code and Section 66(E) of Information Technology Act, 2000, has filed present Petition for quashing of said crime by consent of Respondent No.2, the victim.

2. Respondent No.2 has affirmed affidavit dated 16th February 2023 duly notarized before a Notary Public by name Mr.Jagdish T. Dongardive, Kandivali (E.). In her affidavit Respondent No.2 has stated that, the contents of the Petition are substantially correct. That she has settled the dispute with

the Petitioner. That she is having consent for quashing of FIR No. 0542 of 2022 registered with Respondent No.1-Mira Road Police Station.

3. Respondent No.2 is personally present in the Court. Police Inspector Mr.Vijaykumar Chavan, the Investigating Officer of present crime has identified her to be the victim, the first informant.

The Respondent No.2 through the learned A.P.P. conceded the fact of her affirming the Affidavit dated 16th February 2023 before a Notary Public and contents thereof. She also gave her 'no objection' in quashing present crime.

4. In view of the above, we are inclined to quash CR No. 0542 of 2022, dated 31st December 2022, registered with Mira Road Police Station, Mira-Bhaindar, Vasai-Virar Police Commissionerate, District Thane.

As we expressed our opinion for quashing of said CR No. 0542 of 2022, dated 31st December 2022, learned Advocate for Petitioner on instructions submitted that, the Petitioner will pay a cost of Rs.25,000/- to Central Police Welfare Fund within a period of two weeks. The said statement is accepted as an undertaking given to this Court.

5. We direct the Petitioner to pay a cost of Rs.25,000/- (Rs.Twenty Five Thousand Only) to Central Police Welfare Fund within a period of two weeks from the date of uploading of the present Order on the official website of Bombay High Court.

The details of the bank Account for payment of cost are as under:-

Bank Name :- Axis Bank Limited.
Branch Name :- Worli, Mumbai (M.H.), Mumbai-400 025
Account Name :- Central Police Welfare Fund
Account Number :- 914010029005759
IFSC Code :- UTIB0000060

Petitioner to deposit the said cost of Rs.25,000/- (Rs.Twenty Five Thousand Only) within stipulated period as noted above and submit the receipt of the same in the Registry of this Court.

6. In view of above and subject to payment of cost, Petition is allowed in terms of prayer clause (a).

7. It is made clear that, if the cost is not paid within stipulated period as mentioned above, the Petition shall stand revived automatically and in that event, the Investigating Officer shall complete the investigation of the present crime expeditiously.

8. List the Petition on board on 8th June 2023, under caption 'for reporting compliance' of present Order.

[PRAKASH D. NAIK, J.]

[A.S. GADKARI, J.]