

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

CRIMINAL WRIT PETITION NO. 1712 OF 2022

Samran Ayub Shaikh ...Petitioner
V/s.
The State Of Maharashtra & Anr. ...Respondents

Mr. Ankush Dhokale i/b. Mr. Keshav Chavan for Petitioner.
Mr. Ajay Patil, A.P.P. for Respondent-State.
Mr. Pranav Patil for the Respondent No. 2

**CORAM : NITIN W. SAMBRE &
RAJESH S. PATIL, JJ**

DATED : 30th AUGUST, 2023

P.C.:

1. The prayer is for quashing of the FIR in Crime No. 409 of 2021 punishable u/s. 376, 420, 323, 504, 506 of IPC registered on 15/07/2021.
2. The genesis of the prosecution case is, the Petitioner initially defrauded the Respondent/Complainant, developed intimacy and exploited and physically assaulted her.
3. The parties hereto have decided to bury their differences after the intervention of the respectable people of the society and elder members of the family. The Consent Terms duly signed by both the parties are tendered jointly by learned Counsels for the Petitioner and Respondent/Complainant. Similarly, the Respondent/Complainant has placed on record the Affidavit extending the consent for quashing.

4. We have requested Mr. Patil, learned APP to verify from the Respondent/Complainant as to whether she has voluntarily extended consent for quashing.

5. Mr. Patil, learned APP upon interaction with the Respondent/Complainant has informed that the Respondent/Complainant has voluntarily extended consent for quashing, as according to her the relationship was consensual and she has no intention to pursue the complaint against the Petitioner.

6. In view of the Consent Affidavit placed on record by the Respondent/Complainant before this Court and the law laid down by the Apex Court in the matter of ***Gian Singh vs. State of Punjab and Another*** reported in ***(2012) 10 SCC 303*** and ***Narinder Singh & Ors. Vs State of Punjab & Anr.*** reported in ***(2014) 6 SCC 466*** no purpose will be served by keeping the present proceedings pending against the Petitioner.

7. That being so, the Petition is allowed in terms of prayer clause (a) of the Petition.

(RAJESH S. PATIL, J) (NITIN W. SAMBRE, J.)