

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

CRIMINAL WRIT PETITION NO.1265 OF 2023

|                                      |             |
|--------------------------------------|-------------|
| Rekha Dilip Chetwani and others      | Petitioners |
| versus                               |             |
| The State of Maharashtra and another | Respondents |

WITH  
CRIMINAL WRIT PETITION NO.1267 OF 2023

|                                      |             |
|--------------------------------------|-------------|
| Otto Peter Philip                    | Petitioner  |
| versus                               |             |
| The State of Maharashtra and another | Respondents |

Mr.Nitin P. Deshpande, Advocate for Petitioners in WP No.1265/2023  
and for Respondent no.2 in WP No.1267/2023.

Ms.Kanchan Phatak, Advocate for Petitioner in WP No.1267/2023  
and for Respondent no.2 in WP No.1265/2023.

Mr.Ajay Patil, APP, for State.

**CORAM :   A.S.GADKARI AND  
             PRAKASH D.NAIK, JJ.**

**DATE     :   2<sup>nd</sup> May 2023**

**PC :**

1.     Petitioners in both these Petitioners have invoked Writ jurisdiction under Article 226 of Constitution of India challenging impugned FIRs and charge sheet which are subject matter of respective petitions, by consent of parties.

2.     Criminal Writ Petition No.1265 of 2023 is preferred by Petitioners, for quashing of proceedings in R.C.C No.1109 of 2022 pending in the Court of learned Judicial Magistrate First Class,

Pimpri, District Pune, arising out of FIR No.625 of 2020 registered with Pimpri Police Station for offences under Sections 354, 323, 504, 506, 143, 147, 149 of IPC.

3. Criminal Writ Petition No.1267 of 2023 is preferred for quashing proceedings in R.C.C No.1335 of 2021 pending in the Court of learned Judicial Magistrate First Class, Pimpri, District Pune, arising out of FIR No.413 of 2020 registered with Pimpri Police Station for offences under Sections 354, 354A and 354D of IPC.

4. The FIR was registered at the instance of respondent no.2 in respective petitions. The Petitioner no.1 Smt.Rekha Dilip Chetwani in Criminal Writ Petition No.1265 of 2023 is the first informant in C.R No.413 of 2020 registered with Pimpri Police Station. It was lodged against Mr.Peter Philips on 2<sup>nd</sup> July 2020. FIR in C.R No.625 of 2020 was registered on 18<sup>th</sup> October 2020 at the instance of Ms.Caroline Otto Peter Philip. She is the daughter of Petitioner in Criminal Writ Petition No.1267 of 2023.

5. Learned advocate representing Petitioners and Respondent no.2 in both the petitions submitted that parties have arrived at settlement by resolving their differences and have agreed to quash the proceedings arising out of respective FIRs lodged against Petitioners.

6. The first informant in C.R No.625 of 2020 registered with

Pimpri Police Station has filed an Affidavit dated 15<sup>th</sup> March 2023 stating that she has no objection for quashing said FIR and the charge sheet in R.C.C No.1109 of 2022 pending in the Court of Judicial Magistrate First Class, Pimpri. The Affidavit is taken on record.

7. The first informant in C.R No.413 of 2020 registered with Pimpri Police Station has also filed an Affidavit stating that she has no objection for quashing FIR No.413 of 2020 and proceedings in R.C.C No.1335 of 2021 pending before Judicial Magistrate First Class, Pimpri.

8. The first informant in both the proceedings have confirmed the contents of their respective Affidavits of consent and agreed for quashing the impugned charge sheets which are subject matters of both the petitions.

9. Considering the fact that parties have resolved their differences and have agreed to quash the proceedings by consent of respective complainants, the relief sought in these petitions can be granted.

### **ORDER**

(i) Criminal Writ Petition No.1265 of 2023 is allowed and disposed off;

(ii) Proceedings in R.C.C No.1109 of 2022 arising out of FIR

No.625 of 2020 registered with Pimpri Police Station, Pimpri Chinchwad, District Pune, pending before the Court of Judicial Magistrate First Class, Pimpri, is quashed and set aside;

(iii) Criminal Writ Petition No.1267 of 2023 is allowed and disposed off;

(iv) Proceedings in R.C.C No.1335 of 2021 arising out of FIR No.413 of 2020 registered with Pimpri Police Station, Pimpri Chinchwad, District Pune, pending before the Court of Judicial Magistrate First Class, Pimpri, is quashed and set aside.

**(PRAKASH D. NAIK, J.)**

**(A.S.GADKARI, J.)**

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