

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY****CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION NO. 645 OF 2023**

Ishmeet Singh Kohli

...Applicant

**V/s.**

Jhanvi Roni Dsouza &amp; Anr.

... Respondents

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Mr.Mohammed Zain Khan a/w Mr.Syed Nabeel Ali and Mr.Danish Ansari,  
for the Applicants.

Mr.Ashraf Kapoor, for Respondent No.1.

Mrs.M.M. Deshmukh, APP for Respondent No.2-State.

**CORAM : A.S. GADKARI AND  
SHIVKUMAR DIGE, JJ.**

**DATE : 02<sup>nd</sup> AUGUST 2023**

**PC. :**

1. Applicant, accused in C.R. No.823 of 2022 registered with Vakola Police Station, Mumbai, under Sections 354, 354A, 323 and 506 of the IPC has filed present Application under Section 482 of Cr.P.C., for quashing of the said case with the consent of Respondent No.1, the informant.

2. Learned Advocate for the Applicant submitted that, the Applicant and Respondent No.1 have settled their disputes and differences amicably and the Respondent No.1 has consented for the quashing of the crime in question.

3. Learned Advocate for Respondent No.1 tendered across the bar her Affidavit dated 2<sup>nd</sup> August 2023, duly affirmed before the Assistant Registrar of this Court. It is stated therein that, she has settled the disputes amicably with the Applicant and at her own free will is giving consent for quashing of present crime.

Respondent No.1 is personally present in the Court and through her Advocate reiterates the contents of her Affidavit dated 2<sup>nd</sup> August 2023 and her 'no objection' for quashing the crime in question.

3. In view of the above, we are inclined to quash C.R. No.823 of 2022 registered with Vakola Police Station, Mumbai.

4. As we expressed our opinion for quashing of said C.R. No.823 of 2022 registered with Vakola Police Station, Mumbai, learned Advocate for Petitioner on instructions submitted that, the Petitioner will pay a cost of Rs.1,00,000/- to Tata Memorial Centre (Tata Memorial Hospital), Dr.Ernest Borges Marg, Parel, Mumbai – 400 012 within a period of two weeks from today. The said statement is accepted as an undertaking given to this Court.

We direct the Petitioner to pay a cost of Rs.1,00,000/- to Tata Memorial Centre (Tata Memorial Hospital), Dr.Ernest Borges Marg, Parel, Mumbai – 400 012 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 :- Central Bank of India

Branch Name :- TMH, Patel, Mumbai-400 012.

Account Name :- Tata Memorial Centre

(Tata Memorial Hospital)

Account Number :- 1002449683

IFSC Code :- CBIN0284241

Petitioner to deposit the said cost of Rs.1,00,000/- within stipulated period as noted above and submit the receipt of the same in the Registry of this Court.

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

6. 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 will proceed with the investigation of C.R. No.823 of 2022 expeditiously.

7. List the Petition on 23<sup>rd</sup> August 2023 under caption 'for reporting compliance' of present Order.

8. All the concerned to act on the basis of an authenticated copy of this Order.

(SHIVKUMAR DIGE, J.)

(A.S. GADKARI, J.)