

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO.2058 OF 2023**

Kartik Satish Pinge

.. Petitioner

V/s.

State of Maharashtra & Anr.

.. Respondents

Mr. Hrishikesh S. Shinde a/w. D. A. Patil for Petitioner

Mrs. G. P. Mulekar, APP for Respondent No.1 – State

Ms. Khushboo Oswal for Respondent No.2

**CORAM : A. S. GADKARI AND
SHIVKUMAR DIGE, JJ.****DATE : 26th JUNE 2023.****P.C. :**

1. Leave to amend to incorporate criminal case number in prayer clauses granted.

Amendment to be carried out forthwith and in any event, during the course of the day.

2. By the present Petition, under Article 226 of the Constitution of India and under Section 482 of the Criminal Procedure Code, 1973, Petitioner-accused in R.C.C. No. 2977 of 2022 pending on the file of 11th Jt. C.J.J.D. & J.M.F.C., Pune arising out of C.R.No. 51 of 2022 registered with Alankar Police Station, Pune City under Sections 354-D, 507 of IPC and under Section 67 of the Information Technology Act, 2000 has prayed for quashing of the said case with consent of Respondent No.2, the victim.

3. Learned Advocate for Petitioner submitted that, Petitioner and Respondent No.2 were having love affair which can be clearly seen from the perusal of the F.I.R. That, when their relations were strained, Respondent No.2 filed the present crime. He submitted that, Petitioner and Respondent No.2 have resolved their disputes and differences and Respondent No.2 has given her consent for quashing the said crime.

4. Learned Advocate for Respondent No.2 tendered across the bar her Affidavit dated 29.04.2023, duly affirmed before a Notary Public. In paragraph No. 8 thereof, Respondent No.2 has given her no objection for quashing the crime in question.

Respondent No.2 is personally present in the Court and through her Advocate reiterates the contents of her Affidavit dated 29.04.2023 and her 'no objection' for quashing of the crime in question.

5. In view of the above, we are inclined to quash R.C.C. No. 2977 of 2022 pending on the file of 11th Jt. C.J.J.D. & J.M.F.C., Pune arising out of C.R.No. 51 of 2022 registered with Alankar Police Station, Pune.

6. As we expressed our opinion for quashing of R.C.C. No. 2977 of 2022 pending on the file of 11th Jt. C.J.J.D. & J.M.F.C., Pune arising out of C.R.No. 51 of 2022 registered with Alankar Police Station, Pune, learned Advocate for the Petitioner on instructions,

submitted that, Petitioner will pay a cost of Rs.50,000/- to Central Police Welfare Fund 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.50,000/- 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. 50,000/- within stipulated period as noted above and submit the receipt of the same in the Registry of this Court.

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

8. It is made clear that, if the cost is not paid within stipulated period as mentioned above, Petition shall stand revived

automatically and in that event, the Investigating Officer will complete the investigation of the present crime expeditiously.

9. List the Petition on 17th July 2023 under caption 'for reporting compliance' of present Order.

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

(SHIVKUMAR DIGE, J.)

(A.S. GADKARI, J.)