

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 5113 OF 2022

Abhimanyu Bhagwan Jadhav and another ... Petitioners

Versus

The State of Maharashtra and another ... Respondents

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Mr. Niranjana Tiwari instructed by Ms. Amruta Devkat for the Petitioners.

Ms. S.D. Shinde, APP for the State.

Mr. Anup Kamble for Respondent No.2.

Complainant is present.

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**CORAM : PRAKASH D. NAIK &
N.R. BORKAR, JJ.**

DATED : 21st DECEMBER 2023

P.C. :-

. The Petitioners are charge-sheeted for the offences under Sections 376(2)(n), 406, 420, 323, 504, 506 read with 34 of Indian Penal Code and Sections 3(1)(r), 3(1)(s), 3(1)(w)(ii) & 3(2)(va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. The First Information Report dated 5th November 2020 (FIR) was registered at the instance of Respondent No.2 with Sangli City Police Station vide Crime No.391 of 2020.

2. The parties have resolved the dispute. The Respondent No.2/complainant has no objection for quashing the impugned proceedings.

3. We have perused the FIR. The contents of FIR indicate that the Petitioner No.1 and Respondent No.2 were in relationship. There

was physical relationship between them. Pregnancy was terminated. It is alleged that an amount of Rs.10,98,300/- was parted by complainant to accused No.1. Petitioner Nos.2 and 3 are parents of Petitioner No.1.

4. The learned Counsel for the Petitioners and Respondent No.2 submitted that the impugned proceedings may be quashed as there is amicable settlement between the parties. The amount of Rs.10,98,300/- has been returned to the complainant.

5. The complainant has filed Affidavit. Affidavit indicates that she do not wish to prosecute the Petitioners in whatsoever manner and decided to move ahead in life. The Affidavit is filed voluntarily without any force and coercion and she has no objection if the prayers in the Petitions are allowed. She is present in Court and confirmed that she has no objection for quashing the charge-sheet.

6. Relationship was consensual. The complainant and Petitioner No.1 were acquainted from 2016 to 2020. The amount has been returned to complainant.

ORDER

(i) Writ Petition No. 5113 of 2022 is allowed.

(ii) First Information Report dated 5th November 2020 registered against the Petitioners with Sangli City Police Station vide Crime No.391 of 2020 is quashed and set aside.

(iii) Petitioner No.1 shall pay costs of Rs.25,000/- within a period of three weeks from today.

(iv) The costs shall be deposited into the account as below :

Bank Name	:	Axis Bank Ltd.
Branch name	:	Worli, Mumbai – 400 025.
Account Name	:	Central Police Welfare Fund

Account No. : 9140100290055759

IFSC Code : UTIB0000060

(v) The receipt of payment of costs be produced before the Registry.

(v) Writ Petition stands disposed off.

(N.R. BORKAR, J.)

(PRAKASH D. NAIK, J.)

KANCHAN
PRASHANT
DHURI

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by KANCHAN
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Date:
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