



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO.5150 OF 2022**

Mohammed Imran Solanki ...Petitioner

Versus

The State of Maharashtra & Anr. ...Respondent

Mr Firoz Usman for the Petitioner.

Mr. S.V. Gavand, APP for the Respondent/State

Mr. Umair Siddiquie for Respondent No.2.

**CORAM : NITIN W. SAMBRE &
N. R. BORKAR, JJ.
DATE : 6 OCTOBER, 2023.**

PC:-

1. The co-accused Kamran Zariwala allegedly married to complainant /respondent No.2 on 22 May 2015.
2. It appears that the accused Kamran alongwith his relatives and other co-accused entered in the house of respondent/complainant on 28 November 2021 and committed an offence punishable under Sections 354, 354(c), 406, 504, 506 read with 34 of the IPC and Section 67 (A) of the Information Technology Act.
3. On merits, it is claimed that (a) ingredients of sections are not satisfied; and (b) the complaint is lodged at belated stage without there being any explanation.
4. The counsel for respondent No.2 submits that the respondent No.2/complainant has placed on record the affidavit extending consent for quashing. We have gone through the said affidavit.

5. Respondent No.2 is duly identified by her Lawyer and also by learned APP Mr. Gavand on verification of her photo-id, i.e., Aadhar Card. It is informed that she has voluntarily given her consent for quashing.

6. In the aforesaid background and having regard to the consent affidavit which is placed on record, no purpose will be served by keeping the criminal proceedings pending against the petitioner. In view of the law laid down by the Apex Court in case of *Gian Singh Vs. State of Punjab & Anr.*¹, we deem it appropriate to allow the petition to the extent of petitioner only.

7. The Petition as such stands allowed in terms of prayer clause (a) & (b).

8. The Petition as such stands disposed of.

(N.R. BORKAR, J.)

(NITIN W. SAMBRE, J.)

1 (2012) 10 SCC 303