

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY****CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 4607 OF 2022**

Aniruddha Shivmohansingh Thakur

... Petitioner

**V/s.**

The State of Maharashtra & Anr.

... Respondents

Mr. Sachin K. Hande for Petitioner.

Mr. S.S. Hulke, A.P.P. for Respondent No.1-State.

Mr. Amol B. Patil for Respondent No.2.

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

**DATE : 25<sup>th</sup> April 2023.**

**P.C. :**

1. Petitioner, accused in R.C.C. No. 2376 of 2022 pending on the file of learned Judicial Magistrate First Class at Shivaji Nagar, Pune, arising out of CR No. 76 of 2022, dated 4<sup>th</sup> May 2022, registered with Bibwewadi Police Station, Pune City, under Sections 354, 354A(1)(2) of the Indian Penal Code, has filed present Petition for quashing of the said case, by consent of Respondent No.2, the victim.

2. The Respondent No.2 has filed an affidavit dated 6<sup>th</sup> December 2022, duly affirmed before a Notary Public. Her signature has been identified by Advocate Mr.Amol Patil. In her affidavit Respondent No.2 has stated that, due to the intervention of her relatives, friends and respectable persons from

the society, she and Petitioner have settled the dispute amicably. That, she has settled the said dispute without any undue influence and pressure, with a view to live her life peacefully. In para No.3 thereof, she has given her 'no objection' for quashing of the said case.

3. Respondent No.2 is personally present in the Court and through her Advocate reiterated the contents of her affidavit dated 6<sup>th</sup> December 2022 and her 'no objection' for quashing of the said case.

4. In view thereof, we are inclined to quash R.C.C. No. 2376 of 2022 pending on the file of learned Judicial Magistrate First Class at Shivaji Nagar, Pune, arising out of CR No. 76 of 2022, dated 4<sup>th</sup> May 2022, registered with Bibwewadi Police Station, Pune City.

5. As we expressed our opinion for quashing of said R.C.C. No. 2376 of 2022 arising out of CR No. 76 of 2022, learned Advocate for Petitioner on instructions submitted that, the Petitioner will pay a cost of Rs.20,000/- (Rs. Twenty Thousand Only) to Central Police Welfare Fund within a period of two weeks.

The said statement is accepted as an undertaking given to this Court.

6. We direct the Petitioner to pay a cost of Rs.20,000/- 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.20,000/- within stipulated period as noted above and submit the receipt of the same in the Registry of this Court within a period of one week from the date of payment of cost with the concerned Authority.

7. In view of 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, the Petition shall stand revived automatically and in that event, the trial Court will proceed with the said R.C.C. No. 2376 of 2022 expeditiously.

9. List the Petition on board on 12<sup>th</sup> June 2023, under caption 'for reporting compliance' of present Order.

[ PRAKASH D. NAIK, J. ]

[ A.S. GADKARI, J. ]