

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 3873 OF 2023

Rajiv Samuel Massey ...Petitioner
Versus
Cindrella Stephen Almeida And Anr. ...Respondents

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Mr. Vinod Kashid , Advocate for the Petitioner.

Mr. Abdul Shaikh, Advocate for Respondent No.1.

Mrs. M.M. Deshmukh, Additional P.P. for the Respondent – State.

Mr. Swapan Biswas, API, Uttam Sagari Police Station.

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**CORAM : PRAKASH D. NAIK, &
M.M. SATHAYE , JJ.**

DATE : 15th DECEMBER, 2023.

P.C.:

1. The Petitioner is chargesheeted for offences under Sections 354-A, 352, 504 and 506 of Indian Penal Code (for short 'IPC'). The proceedings are pending before the Court of learned J.M.F.C., Thane vide R.C.C. No.2587 of 2018.

2. The Petitioner was the Secretary of the Co-operative Housing Society and the complainant was the member of the said Society. It is alleged that on 5th August, 2017 the Accused had abused the complainant and committed the act amounting to outraging modesty.

3. It is jointly submitted that the parties have resolved their differences. They have executed consent terms. The complainant has no objection for quashing the impugned proceedings. She has filed affidavit of consent for quashing the proceedings.

4. The Petitioner and complainant are present in the Court. The complainant has confirmed the contents of the affidavit and consent terms. She has no objection for quashing the proceedings.

5. We have perused the consent terms/compromise deed executed between the parties as well as affidavit filed by the Respondent No.2/complainant. In the consent terms it stated that the matter has been settled amicably and that the complainant has no objection for quashing the proceedings. Similar averments are also reflected in the affidavit filed by the Respondent No.2. Considering the fact that the parties have resolved their differences and complainant has no objection for quashing the proceedings, the relief sought in this Petition can be granted.

ORDER

- i. Criminal Writ Petition No.3873 of 2023 is allowed;
- ii. The proceedings in R.C.C. No.2587 of 2018 pending before the Court of learned J.M.F.C., Thane arising out of First

Information Report No.137 dated 14th November, 2017 are quashed and set aside.

iii. Petition stands disposed off.

(M.M. SATHAYE, J.)

(PRAKASH D. NAIK, J.)