

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

CRIMINAL APPLICATION NO. 1425 OF 2023

Sahil Anil Mehta ...Applicant
Versus
The State of Maharashtra & Another ...Respondents

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Ms. Sonal Parab i/by Mr. Rajeev Sawant & Associates, Advocate for the Applicant.

Mr. Parth Sanghrajka, Advocate for Respondent No.2.

Mrs. M.M.Deshmukh, Addl. P.P. for the Respondent No.1 – State.

Mr. Narayan Dalvi, (P.S.I) Vileparle Police Station, Mumbai, present.

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

DATE : 13th DECEMBER, 2023.

P.C.:

1. This is an application for quashing the charge-sheet in proceeding in Sessions Case No.771 of 2021 pending before the Sessions Court at Borivali, Mumbai, which are arising out of FIR No.175 of 2018 registered with Vile Parle Police Station, Mumbai for offence punishable under Sections 354, 420, 376, 377, 506 of Indian Penal Code (for short “IPC”).

2. The First Information Report (for short ‘FIR’) has been registered at the instance of Respondent No.2. The allegations in the FIR reflect that the complainant was subjected to physical

relationship by the accused. They were acquainted with each other from 23 September 2011 to March 2018.

3. There is settlement between the parties. The complainant has filed Affidavit giving her consent for quashing the impugned proceedings. She is present through Video Conferencing. She has admitted the contents of the Affidavit and submitted that she has no objection for quashing the impugned proceedings.

4. We have perused the FIR. It appears that the complainant and the accused were known to each other. There was consensual relationship between them. Considering these circumstances, the impugned charge-sheet can be quashed.

ORDER

- i. Criminal Application No.1425 of 2023 is allowed;
- ii. The impugned proceeding in Sessions Case No.771 of 2021 pending before the Sessions Court at Borivali, Mumbai which are arising out of FIR No.175 of 2018 registered with Vile Parle Police Station, Mumbai is quashed and set aside.
- iii. Application stands disposed of accordingly.

(N. R. BORKAR, J.)

(PRAKASH D. NAIK, J.)