

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1609 OF 2023

Vivek Madanlal Joshi and others

Applicants

versus

Raveena Gajanan Sharma and another

Respondents

Mr.Manish N. Jain with Mr.Prasad D.Mundhe i/by S.M.Jain
Associates, Advocate for Applicants.

Mrs.M.H.Mhatre, APP, for State.

Ms.Ritu G. Gehlot, Advocate for Respondent no.1.

Complainant with her mother present.

In-laws of complainant/applicant nos.2 to 5 present.

CORAM : PRAKASH D.NAIK AND
N.R.BORKAR, JJ.

DATE : 18th December 2023

PC :

1. The Applicants have preferred this application for quashing
FIR dated 21st October 2023 registered with Achole Police Station
vide Crime No.508 of 2023 for offences under Sections 366, 368,
328, 341, 376, 376(2)(n), 506 r/w 34 of IPC.

2. The FIR was registered at the instance of Respondent no.1. She
is aged around 20 years. It was alleged that marriage between
Respondent no.1 and Applicant no.1 was forcefully solemnized on 7th
October 2023 against her wish. Thereafter on several occasions
there was physical relationship between Respondent no.1 and
Applicant no.1.

3. Applicant no.1 has been arrested on 12th December 2023 at Rajasthan and transit warrant was sought by investigating agency. He was produced before Trial Court. Presently he is in custody.

4. Respondent no.1 is present in the Court. Her mother is also present in the Court. Applicant nos.2 to 5 are also present in the Court.

5. Respondent no.1 has stated that she has no objection for quashing the FIR against all the Applicants. She has filed affidavit dated 14th December 2023 stating that the matter is settled. She has no objection for quashing the FIR.

6. Respondent no.1 has stated that her marriage was solemnized with her consent and that it has been registered in the office of Registrar of Marriages, at Udaipur. The marriage certificate has been annexed to the petition. She does not dispute registration of marriage. She also stated that after Applicant no.1 is released on bail, she would join the matrimonial home and stay with the Applicants. The mother of Respondent no.1 is present in the Court. She has reiterated the version of Respondent no.1. The affidavit is taken on record.

7. Learned advocate for Applicants and Respondent no.1 jointly submitted that marriage between Applicant no.1 and Respondent no.1 was performed on 7th October 2023. The marriage was

registered. The parties have resolved the differences. The complainant has no objection for quashing the FIR.

8. Applicant no.1 has been in jail from 12th December 2023. Marriage was solemnized between Applicant no.1 and Respondent no.1. Since the complainant (Respondent no.1) has no objection for quashing the proceedings. Hence the relief sought in this petition can be granted.

ORDER

- (i) Criminal Application is allowed and disposed off;
- (ii) The FIR No.508 of 2023 dated 21st October 2023 registered with Achole Police Station, Nallasopara, Vasai, District Palghar, is quashed and set aside;
- (iii) Applicant no.1 who has been arrested in connection with FIR No.508 of 2023 dated 21st October 2023 registered with Achole Police Station, Nallasopara, Vasai, District Palghar be released from jail forthwith.

(N.R.BORKAR, J.)

(PRAKASH D. NAIK, J.)

MST