

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (APL) NO.1367 OF 2021

Shekhar s/o Bhagwanrao Takey
 (accused), aged about 48 yrs, R/o
 Bapunagar, Tq. Digras, Dist. Yavatmal.

... APPLICANT

VERSUS

1. State of Maharashtra, through
 Police Station Officer, Police Station,
 Digras, Dist. Yavatmal. .
2. Suman Lakshman Jadhao, (Original
 Complainant) Age : 65 years, Occ.
 House Maid R/o Vaibhav Nagar,
 Digras, Tq. Digras, Dist. Yavatmal.

... NON-APPLICANTS

Shri A.P. Thakare, Advocate for the applicant.
 Shri Thakre, A.P.P for non-applicant no.1/State.
 Shri P.V. Deshmukh, Advocate for non-applicant no.2.

CORAM : VINAY JOSHI AND BHARAT P. DESHPANDE, JJ.
DATED : 04/05/2023.

JUDGMENT : (Per : Vinay Joshi, J.)

Heard. **ADMIT.**

2. The matter is taken up for final hearing by consent of learned Counsel appearing for the respective parties.

3. This is an application seeking to quash the First Information Report (FIR) in crime No.980 of 2021 registered with the Digras Police Station District Yavatmal for the offence punishable under Section 354 of the Indian Penal Code as well as Charge-sheet No.182 of 2021 bearing Criminal proceeding R.C.C. No.197 of 2021 pending in the Court of the Judicial Magistrate First Class, Digras, on account of settlement.

4. The informant lady aged 62 years has lodged the report about sexual advances. The informant was working as a maid servant in the house of the applicant. She alleged that on two occasions, the applicant made the sexual advances by touching her inappropriate manner, hence the report.

5. It is submitted that the informant was removed from the job, which resulted into making false allegations out of frustration. However, the matter is amicably settled in between the parties. The informant has filed her affidavit-in-reply stating that under frustration and misunderstanding she has lodged the report. She has also stated

that she do not want to prosecute the criminal case. The informant is present before this Court, who has identified by her Counsel Shri P.V. Deshmukh. She has also stated before the Court that she do not want to prosecute the criminal case.

6. The alleged offence is not heinous or anti social in nature. In view of the settlement and above facts, the following order is passed :

(a) The application is allowed and disposed of.

(b) We hereby quashed and set aside the First Information Report (FIR) in crime No.980 of 2021 registered with the Digras Police Station District Yavatmal for the offence punishable under Section 354 of the Indian Penal Code as well as Charge-sheet No.182 of 2021 bearing Criminal proceeding R.C.C. No.197 of 2021 pending in the Court of the Judicial Magistrate First Class, Digras.

(BHARAT P. DESHPANDE, J.)

(VINAY JOSHI, J.)