

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

973 CRIMINAL APPLICATION NO. 2566 OF 2024

Ajim Samad Bagwan

VERSUS

The State Of Maharashtra And Another

...

Mr. Sandip R. Andhale - Advocate for Applicant

Mr. S. S. Dande - APP for Respondent/State

...

CORAM : R. G. AVACHAT  
AND  
NEERAJ P. DHOTE, JJ.

DATED : 12<sup>TH</sup> JULY, 2024

PER COURT : -

1. This Application is filed under Section 482 of the Code of Criminal Procedure for quashing the Charge-sheet in R.C.C. No.185/2022 and Sessions Case No.274/2022 pending before the learned Sessions Court at Aurangabad in connection with First Information Report No. 24/2022 registered at Police Station Bidkin, under Section 376(2)(n) and 506 of the Indian Penal Code.

2. The Applicant and respondent no. 2 who is the informant, are present before this Court along with their advocate. Learned advocates for the parties submit that the applicant and respondent no. 2 were in consensual relationship, however, still the said offence came to be registered. It is submitted that now the informant and respondent

no. 2 do not want to prosecute with the report and the case. The affidavit of respondent no. 2 – informant is filed on record wherein she has stated that she has no objection to quash and set aside the aforesaid proceedings.

3. It is submitted that the informant / respondent no. 2 was major at the relevant time. The informant has stated in the FIR that she fell in love with the Applicant and the relationship developed.

4. Learned APP opposed the application.

5. In view of the above, we proceed to pass the following order.

**ORDER**

[i] Criminal Application is allowed in terms of prayer clause 'B' and disposed of. No costs.

**[NEERAJ P. DHOTE]  
JUDGE**

**[R. G. AVACHAT]  
JUDGE**

SG Punde