



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 2751 OF 2024

Majid Khan Gafur Khan

VERSUS

The State Of Maharashtra And Another

Mr.Tushar Shinde, Advocate h/f. Mr.P.P.Paratwagh, Advocate for applicant

Mrs.V.N.Patil-Jadhav, APP for respondent no.1

Mr.Jitendra S. Jain, Advocate for respondent no.2

**CORAM : R.G.AVACHAT AND
NEERAJ P. DHOTE, JJ.
DATE : JULY 20, 2024**

ORDER :-

This is an application under Section 482 of the Code of Criminal Procedure, for quashment of the FIR, being Crime No.86 of 2020, registered with Harsul Police Station, Aurangabad, for the offences punishable under Section. 376(2)(n) and 506 of Indian Penal Code and the consequential charge-sheet bearing no.41 of 2020 and the proceedings in Sessions Case NO.241 of 2020.

2. The applicant and respondent no.2 are present in the court. Learned counsel for the applicant and learned counsel for respondent no.2 submits that there were consensual relationship between the applicant and respondent no.2.

3. We have perused the FIR, which shows that the applicant and respondent no.2 were in consensual relationship. The parties have tendered a joint affidavit. Respondent no.2 has stated in the affidavit that the FIR was filed out of misunderstanding between herself and the applicant. She further states that she does not wish to pursue with the criminal proceedings.

4. Learned APP opposed the application.

5. We have perused the FIR and the affidavit jointly sworn by the applicant and respondent no.2. The contention of learned counsel for the parties finds support in the same.

6. Hence, the application is allowed in terms of prayer clauses (B) and (C).

[NEERAJ P. DHOTE, J.]

[R.G. AVACHAT, J.]

KBP