

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 837 OF 2024

Gaurav Gopalkrishna Chavan

...Petitioner

Versus

1. State Of Maharashtra

2. Sayali Sandip Chavan

...Respondents

Mr.Sugandh Deshmukh Advocate for Petitioner.

Mr. Irvin Dsouza Advocate for Respondent No.2.

Mr. V. A. Kulkarni, APP for Respondent-State.

PSI V.C. Khawle Andheri Police Station is present.

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

DATE : 14th MARCH 2024

P.C.:-

1. The petitioner challenges the First Information Report dated 2nd January 2024 registered with Andheri Police Station, Mumbai vide C.R. No.5 of 2024, for offences under Sections 354(D), 500 of the Indian Penal Code, 1860 and Section 66(C) of the Information Technology Act, 2000.

2. It is jointly submitted that, the parties have settled the dispute and the complainant has no objection for quashing the FIR hence, the impugned FIR may be quashed with the consent of complainant/Respondent No.2.

3. Learned APP submits that charge-sheet has been submitted yesterday.

4. The complainant/Respondent No.2 is present in the Court. She is represented by Advocate. She has filed affidavit of consent for quashing the

FIR. In the affidavit it is stated that, she has no objection if the FIR is quashed. There are common friends of the accused and complainant. After their intervention and the senior persons of the family and after understanding the factual position, they have decided to amicably settled the dispute and she has no grievance against the petitioner/accused. The allegations in the FIR depict that from 30th December 2023 to 2nd January 2024, the accused had stalked the complainant on instagram account and without her consent, photographs were copied and she was defamed. False information was given to the person, who was to perform marriage with the complainant.

5. Since the parties have resolved the dispute and complainant has no objection for quashing the charge-sheet, the impugned FIR and charge-sheet can be quashed qua the petitioner.

ORDER

- (i) Criminal Writ Petition No.837 of 2024 is allowed;
- (ii) The charge-sheet in respect to the First Information Report dated 2nd January 2024 registered with Andheri Police Station, Mumbai vide C.R. No.5 of 2024 is quashed and set aside against the petitioner.
- (iii) The Petitioner shall pay the cost of Rs.50,000/- to Advocates' Association of Western India Generation Next within a period of three weeks from today and submit the receipt of the same in the Registry of this

Court. The details of the Bank Account for payment of costs are as under:-

Account Name	: Advocates Association of Western India Generation Next
Account Number	: 000110110007807
Bank Name	: Bank of India
Branch Name	: Mumbai Main
IFSC Code	: BKID0000001

(iv) The Investigating Officer shall return the cellphone which has been seized during the course of investigation along with router to the petitioner.

(v) Writ Petition stands disposed off.

(N. R. BORKAR, J.)

(PRAKASH D. NAIK, J.)