

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 719 OF 2024**

Yash Pawan Jhunjhunwala ... Petitioner

Versus

The State of Maharashtra and Anr. ... Respondents

Mr. Sanjeev Kadam a/w S. Shariff a/w Manpreet Kaur i/b Falcon
Legal for the Petitioner.

Mr. A. S. Shalgaonkar, APP for the State.

Mr. Vinay Bhanushali i/b Vaibhavi R. for Respondent No. 2.

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

DATED : 15.03.2024

P.C. :-

The petitioner is challenging FIR dated 5.01.2024 registered with Malad Police Station vide Crime No. 16 of 2024 for offence under Sections 376 (2)(n), 417, 506 of the Indian Penal Code.

2. The grievance of the complainant is that she was acquainted with the accused on matrimonial website. It was represented that accused is unmarried person. The complainant was subjected to physical relationship under the promise of marriage. They visited several places, wherein she

This order is corrected pursuant to the speaking to the minutes of order dated 24.04.2024.

was subjected to sexual relationship.

3. It is jointly submitted that parties have resolved the dispute. The complainant has no objection for quashing the FIR.

4. Complainant is present in the Court. She has expressed her consent for quashing the FIR. She is represented by the Advocate. She has filed affidavit of consent for quashing the impugned FIR.

5. In the affidavit it is stated that complainant has cordially resolved all the disputes with the accused and amicably settled the dispute. She do not want to pursue the criminal proceedings against the petitioner as she intends to get married and live in peace and move ahead in life and pursue her career.

6. We have perused the FIR. From the tenor of the FIR it appears that there was consensual relationship between accused and victim on several occasions.

7. Considering the fact that the parties have resolved the dispute and affidavit filed by the complainant giving no objection for quashing the FIR, the relief sought in this petition can be granted.

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ORDER

- (i) Writ Petition is allowed.
- (ii) The proceedings in FIR dated 5.01.2024 registered with Malad Police Station vide Crime No. 16 of 2024 for offence under Sections 376 (2)(n), 417, 506 of the Indian Penal Code is quashed and set aside.
- (iii) The petitioner shall pay cost of Rs. 2,50,000/- to Advocates Association of Western India Generation Next.
- (iv) The details of the bank account for payment of costs are as under :

Bank Name	:	Bank of India.
Branch Name	:	Mumbai Main
Account No.	:	000110110007807
IFSC Code	:	BKID0000001.

- (v) Petitioner to deposit the said cost of Rs. 2,50,000/- within a period of four weeks from today and submit the receipt of the same in the Registry of this Court.

(N.R. BORKAR, J.)**(PRAKASH D. NAIK, J.)**

This order is corrected pursuant to the speaking to the minutes of order dated 24.04.2024.