

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 1331 OF 2024**

Krunal R. Rajput ...Petitioner
Versus
1. Ms. XYZ
2. The State of Maharashtra ...Respondents

Mr. Kamlesh Jain for the Petitioner.
Ms Roshani N. Panchal a/w Mr. Sheldon D'Souza for Respondent No.1.
Mr. A.S. Shalgaonkar, APP for the Respondent/State.

**CORAM : PRAKASH D. NAIK &
N. R. BORKAR, JJ.**
DATE : 17.04.2024.

PC:-

1. Not on board. Taken on board.

2. The petitioner is charge-sheeted for the offence under Sections 376(2)(k)(n), 323, 427, 504, 506 and 507 of the Indian Penal Code. The FIR was registered on 10.08.2020 with Vile Parle Police Station, Mumbai vide C.R. No.350 of 2020 for the aforesaid offences.

3. The respondent No.1/complainant has alleged that the accused had developed friendship with her and gained sympathy from her and obtained amount of Rs.1,65,000/- for treatment of his father. From 2.7.2020 till 6.7.2020, she was subjected to physical relationship under coercion. She was assaulted and intimidated.

4. It is jointly submitted that the parties have resolved the differences. The complainant/respondent No.1 has no objection for quashing the impugned proceedings. The amount of Rs.1,65,000/- was deposited by the petitioner with the concerned police station. The complainant had filed the application for withdrawal of said amount before this Court, which was allowed and the complainant has thereafter received the said amount from the concerned police station.

5. The respondent no.1/complainant is present in the Court. She is represented and identified by the Advocate. She has filed the affidavit for consenting the prayer for quashing the proceedings. The affidavit is taken on record.

6. On perusal of the FIR, it is apparent that the accused and the complainant were known to each other. There was physical relationship between them. Considering the factual matrix of the case and since the parties have resolved the differences, the impugned proceedings can be quashed with the consent of respondent No.1.

ORDER

A] Criminal Writ Petition is allowed.

B] The proceedings in Sessions Case No.527 of 2022 pending before the Sessions Court at Dindoshi, Mumbai arising out of FIR No.350 of 2020 dated 10.08.2020 registered with Vile Parle Police Station, Mumbai against the petitioner are quashed and set aside.

C] The petitioner shall pay the costs of Rs.25,000/- 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

(N.R. BORKAR, J.)

(PRAKASH D. NAIK, J.)