

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO. 1346 OF 2022

1.Chandrakant Bapurao Igave
2. Rajani Chandrakant Igave ...Applicants
Versus
The State of Maharashtra & Anr. ...Respondents

AND

CRIMINAL APPLICATION NO. 535 OF 2024

Rushikesh Chandrakant Igave ...Applicant
Versus
The State of Maharashtra & Anr. ...Respondents

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Mr. Pandit Kasar, Advocate for the Applicants.

Mr. Sagar S. Tambe for Respondent No.2.

Mr. A. S. Shalgaonkar, APP for the Respondent – State in
APL/1346/2022.

Ms. Sangita E. Phad, APP for the Respondent – State in APL/535/2024.

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

DATE : 15th APRIL, 2024.

P.C.:

1. Not on Board. Taken on Board.
2. The Applicants are arraigned as accused in Special Case Filing No.1228/2023 pending before the Court of learned District and Additional Sessions Judge, Pune. The proceedings are arising out of the FIR dated 19th September 2022 registered with Hinjwadi

Corrected version of order dated 15.04.2024 pursuant to speaking to minutes of order dated 23.04.2024.

Police Station, Pimpri Chinchwad vide FIR No.898 of 2022 for offences punishable under Sections 376(2)(n), 354(D), 354(C) 342, 323 of Indian Penal Code (for short “IPC”) and Sections 66(E) and 67(A) of the Information Technology Act, 2000 and Sections 3(1)(w)(i), 3(1)(w)(ii), 3(2)(v) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short “SC/ST (Prevention of Atrocities) Act”). The FIR was registered on 19.09.2022 at the instance of Respondent No.2

3. The applicants in Criminal Application No.1346 of 2022 are the parents of the applicant in Criminal Application No.535 of 2024.

4. The complainant has alleged that the accused No.1 had promised the complainant that he would perform marriage with her and maintained physical relationship with her. She was threatened. The accused No.1 did not fulfill the promises. The other accused had aided and abetted the accused No.1.

5. The complainant is present in the Court. She is represented by the Advocate. She has no objection for quashing the proceedings against all the accused. She has filed Affidavits in both the applications consenting for quashing the impugned proceedings.

6. We have perused the FIR and the other documents. Criminal Application No.1346 of 2022 was heard by this Court and vide

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order dated 24.07.2023, the application was admitted and proceedings before the trial Court were stayed.

7. In the Affidavit filed by the complainant it has been stated that she has no objection for quashing the proceedings against the accused. Both the Affidavits are taken on record.

8. Considering the fact that the relationship appears to be consensual in nature and since the parties have resolved the dispute, the impugned proceedings can be quashed.

ORDER

i) Criminal Application Nos.1346 of 2022 and 535 of 2024 are allowed and disposed off;

ii) Criminal Proceedings in Special Case No.115 of 2023 (Filing No.1228/2023) pending before the Court of learned District and Additional Sessions Judge, Pune, which are arising out of FIR dated 19th September 2022 vide C.R.No.898 of 2022 registered with Hinjwadi Police Station, Pimpari Chinchwad is quashed and set aside;

iii) The Applicant Rushikesh Chandrakant Igave in Criminal Application No.535 of 2024 shall pay cost of Rs.25,000/- to Advocates Association of Western India Generation Next within a period of six weeks from today. The Account details are as under:

Account Name : Advocates Association of Western India
Generation Next
A/c No. : 000110110007807

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Bank Name : Bank of India
Branch Name : Mumbai Main
IFSC Code : BKID0000001

iv) The receipt of payment of cost be produced in the Registry of this Court within one week thereafter;

v) List the application for reporting the compliance after eight weeks.

(N. R. BORKAR, J.)

(PRAKASH D. NAIK, J.)

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