



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.2752 OF 2024

Ranjan Rupasi Nisar

Age: 40 years, Occ: Teacher,

Residing at 5th Floor, Near Reserve Bank,

Dosa House, Fort, Mumbai – 400 001.

And at Kandivali, (W), Greater Mumbai,

City Maharashtra, India.

.....Petitioner

Vs.

1. The State of Maharashtra,
Through Police Inspector,
Kandivali Police Station,
Mumbai – 400 067.

2. Dhara Dipen Shah,
Age: 42 years, Housewife,
Res. 2/43, Humlog Society,
Shankar Lane, Kandivali West,
Mumbai

.....Respondents

Mr. Jenish D. Jain, for the Petitioners.

Mr. Vinod Chate APP, for Respondent No.1-State.

Mr. Anup Kamble, for Respondent No.2.

Mr. R. B. Yadav, Notary in person present.

CORAM : A. S. GADKARI AND
DR NEELA GOKHALE, JJ.

DATE : 1st AUGUST, 2024.

JUDGMENT : (Per Dr. Neela Gokhale, J)

1) Petitioner seeks to quash and set aside F.I.R.No.285 of 2024 dated 10th April 2024 registered with Kandivali Police Station for offenses punishable under Sections 500, 506, 509 of the Indian Penal Code,1860 (“IPC”) along with Sections 67 and 67(A) of the Information Technology Act, 2000 filed by Respondent No.2.

2) Petitioner and the elder brother (Mr. Hemal) of the Respondent No. 2 herein are friends, thus were acquainted with each other.

3) It is the contention of the parties that, on account of some misunderstandings between them, Respondent No.2 filed the FIR leading to the impugned proceedings. However, now they have cleared the misunderstanding and are desirous of settling the matter. In fact, the Petitioner and Respondent No.2 have accordingly filed Consent Terms dated 17th May 2024 and have agreed to amicably settle all the disputes.

4) Respondent No.2 has also given her consent to quash the FIR impugned herein vide Affidavit dated 17th May 2024. Mr. Anup Kamble, learned counsel appearing for Respondent No. 2 on instructions states that she has no objection to quash the FIR.

5) Considering the facts in the present case and the consent Affidavit of Respondent No. 2, we are inclined to quash F.I.R.No.285 of 2024 dated 10th April 2024 registered with Kandivali Police Station for offenses punishable under Sections 500, 506, 509 of the I.P.C. and Sections 67 and 67(A) of the IT Act filed by Respondent No.2.

6) As we expressed our opinion for quashing of F.I.R.No.285 of 2024 dated 10th April 2024 registered with Kandivali Police Station for offenses punishable under Sections 500, 506, 509 of the I.P.C. and Sections 67 and 67(A) of the IT Act, learned Advocate for Petitioner on instructions

submitted that, the Petitioner will pay a cost of Rs.25,000/- to the Central Police Welfare Fund of Maharashtra Police within a period of two weeks from the date of uploading of the present Order on the official website of High Court of Bombay. The said statement is accepted as an undertaking to the Court.

7) In view thereof, we direct the Petitioner to pay a cost of Rs.25,000/- to the Central Police Welfare Fund within a period of two weeks from the date of uploading of present Order on the official website of High Court of Bombay.

7.1) Details of the bank account for payment of cost are as under :-

Bank Name :- Axis Bank Limited.

Branch Name :- Worli, Mumbai (M.H.), Mumbai-400 025

Account Name :- Central Police Welfare Fund

Account Number :- 914010029005759

IFSC Code :- UTIB0000060

7.2) Petitioner to deposit the said cost of Rs.25,000/- within stipulated period as noted above and submit receipt of the same in the Registry of this Court.

8) In view of above and subject to payment of cost, Petition is allowed in terms of prayer clauses (a).

9) It is made clear that, if the cost is not paid by the Petitioner within stipulated period as mentioned above, the Petition shall stand

revived automatically and, in that event, the Investigating Officer shall complete the investigation of the present crime expeditiously.

10) List the Petition on board on 19th August 2024, under caption 'for reporting compliance' of present Order.

(DR NEELA GOKHALE, J.)

(A.S. GADKARI, J.)