

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 3733 OF 2024**

Hussain Hasanali Lakhani

... Petitioner

V/s.

The State of Maharashtra & Anr.

... Respondents

Mr. Tapan Thatte a/w. Mr. Vivek N. Arote & Ms. Geetanjali Naidu for
Petitioner.

Ms. Mahalakshmi Ganpathy, A.P.P. for Respondent No.1-State.

Mr. Akshay Chitre for Respondent No.2.

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

DATE : 4th October 2024.

P.C. :

1) Petitioner, accused in CR No. 452 of 2020 dated 4th September 2020 registered with Nagpada Police Station, Mumbai, under Sections 500, 506 & 509 of Indian Penal Code and Sections 66(c) & 66(d) of the Information of Technology Act 2000, has filed present Petition under Article 226 of the Constitution of India for quashing of the crime in question with the consent of Respondent No.2, the informant.

2) Learned counsel for Petitioner submitted that, the Petitioner and Respondent No.2 have now settled their disputes and differences amicably and the Respondent No.2 is giving her consent for quashing of the crime in

question. He therefore prayed that, the said crime may be quashed with the consent of Respondent No.2.

3) Learned Advocate for Respondent No.2 submitted that, the Respondent No.2 has filed on record her Affidavit dated 21st August 2024 duly affirmed before a Notary Public. In the said Affidavit, the Respondent No.2 has admitted the fact of amicable resolvment of the issues and settlement between the parties. In para No.6 thereof, she has given her no objection for quashing of the crime in question.

3.1) Respondent No.2 is personally present in the Court and through her Advocate reiterates the contents of her Affidavit dated 21st August 2024 and her 'no objection' for quashing of the crime in question.

4) In view thereof, we are inclined to quash CR No. 452 of 2020 dated 4th September 2020 registered with Nagpada Police Station, Mumbai.

5) As we expressed our opinion for quashing of CR No. 452 of 2020 dated 4th September 2020 registered with Nagpada Police Station, Mumbai, learned Advocate for Petitioner on instructions submitted that, the Petitioner will pay a cost of Rs.50,000/- to the Armed Forces Battle Casualties 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. The said statement is accepted as an undertaking given to this Court.

6) We therefore direct the Petitioner to pay a cost of Rs.50,000/- to the Armed Forces Battle Casualties 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.

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

Account Name	:-	Armed Forces Battle Casualties Welfare Fund.
Account Number	:-	90552010165915.
Bank Name	:-	Canara Bank.
Branch	:-	South Block, Defence Headquarters, New Delhi – 110 011.
IFSC Code	:-	CNRB0019055.

6.2) Petitioner to deposit the said cost within stipulated period as noted above and submit receipt of the same in the Registry of this Court.

7) In view of the above and subject to payment of cost, Petition is allowed in terms of prayer clause (b).

8) It is made clear that, if the cost is not paid 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.

9) List the Petition on board on 23rd October 2024, under caption 'for reporting compliance' of present Order.

10) All the concerned to act on the basis of the authenticated copy of this Order.

(DR. NEELA GOKHALE, J.)

(A.S. GADKARI, J.)