

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

CRIMINAL WRIT PETITION NO. 6204 OF 2024

Satish Sarjerao Kharat

..Petitioner

Versus

The State of Maharashtra & Anr.

..Respondents

Mr. S. K. Ali a/w. Shobi Fatma and Pratibha Gupta i/b. Mr. Asif Shaikh for Petitioner.

Mr. Sukanta A. Karmarkar, APP for State/Respondent.

Mr. Zeeshan Khan for Respondent No.2.

**CORAM : SARANG V. KOTWAL &
DR. NEELA GOKHALE, JJ.**

DATE : 20 DECEMBER 2024

PC :

1. This is a petition for quashing of the F.I.R. registered vide the C.R.No.74 of 2017 at Dadar police station, on 17.03.2017, under section 354A of the I.P.C. and the consequent charge-sheet resulting in Case No.629/PW/2017 before the J.M.F.C., Dadar.

2. Heard Mr. Ali, learned counsel for the Petitioner, Mr. Sukanta Karmarkar, learned APP for the State and Mr. Zeeshan Khan, learned counsel for the Respondent No.2.

3. The F.I.R. is lodged by the Respondent No.2. She has stated in her F.I.R. that, she was working as Data Entry Operator in the office of Indian Coast Guard, District Head Quarters No.2, Worli. The petitioner was the Supervisor. The F.I.R. is in respect of his advances towards the Respondent No.2 and, in particular, about the incident dated 14.03.2017. The Petitioner approached the Respondent No.2 and asked for physical favours from her. The Respondent No.2 rejected his officer. She was under fear, but she discussed this incident with her husband and her friend. With their support, she lodged this F.I.R. on 17.03.2017. The investigation was carried out and the statements of the Respondent No.2's husband and her friend were recorded. They are part of the charge-sheet.

4. After that, the Respondent No.2 decided to settle the matter. She has filed her Affidavit mentioning that, with the help of respectable persons, both the parties have decided to amicably settle the dispute as it was in the interest of both the parties. She has specifically stated that she was giving her voluntary consent for quashing of this F.I.R.

5. The Respondent No.2 is present in the Court and she is identified by her learned counsel. We interviewed the Respondent No.2. She submitted that, she genuinely wants to forgive the Petitioner. She further added that the petitioner is a handicapped person and has two young children. The incident is old. She is willing to forgive him and to move on in her life peacefully. She submitted that the petitioner has not troubled her any time thereafter.

6. We have considered this situation. We have specifically taken into account the wish expressed by the Respondent No.2. We are satisfied that her no objection was voluntary. In this view of the matter, we are inclined to allow this petition.

7. Hence, the following order:

ORDER

- i) The F.I.R. registered vide the C.R.No.74 of 2017 at Dadar police station, on 17.03.2017, under section 354A of the I.P.C. and the consequent charge-sheet resulting in Case No.629/PW/2017 before the J.M.F.C., Dadar, are quashed and set aside.

- ii) The Petitioner shall pay a cost of Rs.50000/- for setting the police machinery in motion and for the efforts that the investigating agency has put in for investigating the matter. The Petitioner shall also pay a cost of Rs.50000/- to the Armed Forces Battle Casualties Welfare Fund.
- iii) The cost of Rs.50000/- shall be paid to the Central Police Welfare Fund and Rs.50000/- to the Armed Forces Battle Casualties Welfare Fund within a period of eight weeks from the date of uploading of present order on the official website of High Court of Bombay.

1. Details of the bank account of the Police Welfare Fund for payment of cost are as under:

Bank Name	: Axis Bank Limited.
Branch Name	: Worli, Mumbai (H.H.) Mumbai-400025
Account Name	: Central Police Welfare Fund
Account No.	: 914010029005759
IFSC Code	: UTIB0000060

2. Details of the bank account of the Armed Forces Battle Casualties Welfare Fund for

payment of cost are as under:

Bank Name : Canara Bank
Branch Name : South Block, Defence
Head Quarters.
New Delhi-110011
Account Name : Armed Forces Battle
Casualties Welfare Fund.
Account No. : 90552010165915
IFSC Code : CNRB0019055
Type of Account : Saving.

- iv) If such amount is paid within the stipulated time, and the acknowledgment is shown in the Registry, there shall be no further reference to the Court.
- v) If the cost is not paid by the petitioner within the stipulated period as mentioned above, the Registry shall place this matter for further consideration on 04.03.2025. In that case, this order is liable to be recalled and the prosecution can be revived.
- vi) The writ petition is disposed of.

(DR. NEELA GOKHALE, J.)

(SARANG V. KOTWAL, J.)