

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY****CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION NO. 729 OF 2024**

1. Rajshekhar Agilan Nadar  
Age about 23 year  
Residing at Room No.4, Building No.4,  
New B.M.C. Colony, Sardar Nagar No.2,  
Sion Koliwada, Mumbai – 22.
- .....Applicant/  
Original Accused

Vs.

1. The State of Maharashtra,  
At the instance of Wadala T.T. Police Station
2. Saumya Devendra Karwasra  
Residing at Flat No.3502 B – Wing,  
Estrella, New Cuff Parade,  
Wadala (East), Mumbai 37
- .....Respondent/  
Orig. Complainant

Mr. Ashwin Poojari with Mr. Shailesh Korpe i/b Mr. Ashwin Poojari for the Applicant.  
Mr. Vinod Chate, APP for the State.  
Mr. Uttam Kumar N. Sahu for Respondent No.2.

**CORAM : A. S. GADKARI AND  
DR NEELA GOKHALE, JJ.**  
**DATE : 10<sup>th</sup> September, 2024.**

**P.C. :-**

- 1) The Applicant seeks quashing of Criminal Proceedings bearing C.C. No. 2900459/PW/2023 pending before the Metropolitan Magistrate, 29<sup>th</sup> Court, Bhoiwada, Mumbai arising out of C.R. No. 46 of 2023 dated 12<sup>th</sup> February 2023 registered with Wadala T.T. Police Station, Mumbai for

the offences punishable under sections 509 and 504 of the Indian Penal Code ('I.P.C.').

2) There was an altercation between the parties on 12<sup>th</sup> February 2023 and in the course of the same, it is alleged that, the Applicant abused the Respondent No.2 and also uttered words that outraged her modesty leading to the filing of the FIR culminating into the criminal proceedings impugned herein.

3) Mr. Ashwin Poojari learned counsel appears for the Applicant and Mr. Uttam Kumar Sahu learned counsel appears for the Respondent No.2. Mr. Vinod Chate, learned APP represents the State.

4) The parties are inclined to settle the dispute amicably. The Respondent No.2 has filed an Affidavit dated 17<sup>th</sup> April 2024 duly affirmed before the Assistant Registrar, Appellate Side of this Court. In Paragraph Number 3 of the Affidavit, she has given her no objection to quash the subject FIR. The Respondent No. 2 says that, the dispute between the parties has been settled amicably.

5) The Respondent No.2 is present before the Court and through her counsel reiterates the statements made in the Affidavit. We accept the said statement.

6) In view of the circumstances and the Consent Affidavit filed by the Respondent No.2, Criminal Proceedings bearing C. C. No. 2900459/PW/2023 pending before Metropolitan Magistrate, 29<sup>th</sup> Court,

Bhoiwada, Mumbai arising out of C.R. No. 46 of 2023 dated 12<sup>th</sup> February 2023 registered with Wadala T.T. Police Station, Mumbai are quashed and set aside.

7) The Application is allowed in terms of prayer clause (c).

(DR NEELA GOKHALE, J.)

(A.S. GADKARI, J.)

SHAMBHAVI  
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SHIVGAN  
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