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

CRIMINAL APPLICATION NO. 1115 OF 2024

Asifali Sahid Shah

....Applicant

V/s.

The State of Maharashtra and Anr.

...Respondents

Ms. Kokila Kalra for Applicant.

Mr. Vinod S. Chate, APP for State.

Ms. Alifiya Manasawala for Respondent No.2.

**CORAM : SARANG V. KOTWAL &
DR. NEELA GOKHALE, JJ.
DATED : 7th OCTOBER 2024**

PC. :

1. This application is filed for quashing of the proceedings in Session Case No. 132 of 2024 which arise out of investigation into C.R. No. 47 of 2024 registered at Nerul Police Station on 2nd February 2024 under Section 376 of the Indian Penal Code, 1860 (the IPC). The FIR mentions that the informant and the applicant got acquainted through social media. Thereafter, they started meeting each other. In the year 2022 they had their first physical relation. Thereafter, they met on more occasions. The applicant had promised to marry her. The informant therefore consented to physical relations. But subsequently in the year 2023 the applicant told her that he was going to his native place and he was to get married to someone else. The applicant avoided to marry her. In June 2023 again they met at a lodge to discuss about their future. At that time according to the informant

the applicant kept physical relations against her wish. After that again he refused to marry her and finally the informant lodged this FIR.

2. Now the affidavit is filed by Respondent No.2 that they have resolved their issues and they have decided to get married. An affidavit to that effect is filed before the court today. The affidavit is taken on record. The first informant is present in the court. She is identified by her counsel. Considering the situation and the past history, as of today we are not inclined to pass any final order to test the bonafide of the claim made by the applicant to Respondent No.2. However, in the interest of the parties, we are inclined to grant Ad-interim relief.

3. Stand over to 5th December 2024, till that date the Trial Court shall not proceed with the trial.

(DR. NEELA GOKHALE, J.)

(SARANG V. KOTWAL, J.)