

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

CRIMINAL APPLICATION NO.1639 OF 2024

Zehoan Manoj Jawre
and others

.....Applicants

Versus

The State of Maharashtra
and another

.....Respondents

Mr. Mubin Solkar, Advocate a/w. Tahir Hussain i/b. Anas K. Shaikh for the Applicants.

Mr. Ashish I. Satpute, APP for the Respondent No.1-State.

Mr. Mateen Qureshi, Advocate a/w. Latif G.S. for the Respondent No.2.

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

DATE : 18th DECEMBER, 2024

P.C. :

1. This is an Application for quashing of FIR being C.R. No.1234/2024 registered at Bandra Police Station, Mumbai under Sections 74, 79, 115(2) and 3(5) of the Bharatiya Nyaya Sanhita as well as the consequent criminal proceedings being C.C. No.3009/PW/2024 pending before the J.M.F.C., 12th Court, Bandra, Mumbai.

2. We have heard Mr. Mubin Solkar, learned counsel

for the Applicants, Mr. Ashish Satpute, learned APP for the Respondent No.1-State and Mr. Mateen Qureshi, learned counsel for the Respondent No.2.

3. The FIR is lodged by the Respondent No.2. She was 18 years of age. She was studying BBA Course in First Year. After the college hours, she was attending English Speaking Classes. The Applicant No.1 was studying in the Second Year. He wanted to develop friendship with her. He had called her telephonically and had told her about his intentions. The Respondent No.2 had refused. He had told her that he would still meet her on the next day, in a threatening tone. On 21.8.2024, at about 1:45 p.m., when she was waiting outside a snacks shop, the Applicant No.1 along with other Applicants came near her and took her inside the restaurant and he was insisting that she should be on friendly terms with him. The other Applicants were almost forcing her to do that. When she refused and tried to go away, the Applicants went behind her and the Applicant No.1 caught her hand and outraged her modesty. On these allegations, the FIR is lodged.

4. Now the dispute between the parties is settled. All the Applicants are young boys of eighteen years and are students. The informant – Respondent No.2 has filed her affidavit, in which she has categorically stated that the Applicants and she are studying in the same institution. After registration of the FIR, with intervention of elders and well wishers they have resolved their misunderstanding and she does not wish to pursue the present FIR. She has categorically given her no objection in paragraph No.8 of her affidavit.

5. The Respondent No.2 is present in the Court along with her father. Both of them are identified by her learned Counsel. Both of them, and in particular father of the Respondent No.2, stated that they have no objection for quashing of the FIR. Even the Applicants are present before the Court. They have stated before the Court that such an incident would not be repeated and that they shall not cause any harassment to the Respondent No.2 in future.

6. Considering the young age of the Applicants and since they are students the entire future is in front of them. The

dispute appears to be between the Respondent No.2 and the Applicant No.1. Both of them have resolved their dispute with intervention of elders. Therefore, we are inclined to allow this Application.

7. Hence, the following order:

:: O R D E R ::

- i. The FIR being C.R. No.1234/2024 registered at Bandra Police Station, Mumbai as well as the consequent criminal proceedings being C.C. No.3009/PW/2024 pending before the J.M.F.C., 12th Court, Bandra, Mumbai, are quashed and set aside.
- ii. The Application is disposed of accordingly.

(DR.NEELA GOKHALE, J.)

(SARANG V. KOTWAL, J.)

Deshmane (PS)

PRADIPKUMAR
PRAKASHRAO
DESHMANE

Digitally signed by
PRADIPKUMAR
PRAKASHRAO
DESHMANE
Date: 2024.12.20
11:31:46 +0530