

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 1850 OF 2021

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Sashikant Vishwas Powar

... Petitioner

Versus

The State of Maharashtra & Anr.

... Respondents

.....

Mr. Paras Yadav a/w Mr. Viraj Nlavade for the petitioner

Mr. Prasad P. Kulkarni for the respondent no.2

Mr. Pankaj Deokar, APP for the respondent - State.

.....

**Coram : M. S. Karnik &
 Sharmila U. Deshmukh, JJ.**

Date : October 16, 2025.

P. C. :

1. Heard learned counsel for the petitioner, learned counsel for respondent no.2 and learned APP for the respondent – State.

2. The name of the respondent no.2 is permitted to be masked in these proceedings as well as in the charge-sheet. Consequential amendment to be carried out during the course of the day.

3. The respondent no.2 is personally present in the Court. At the relevant time, when the offence is alleged to have been committed, the

respondent no.2 was 17 years and 1 months of age. The accused is the cousin brother of the respondent no.2.

4. The respondent no.2 has appeared before us and stated that she does not want to continue with the criminal proceeding, as now she is married and leading a peaceful family life and that continuation of the criminal proceedings will create further complications. In the affidavit filed by the respondent no.2, dated 16th October 2025, it is stated that she does not want to continue with the prosecution. The affidavit is taken on record.

5. The present facts are such that we are more than satisfied that continuation of the criminal prosecution will not only cause difficulties to the respondent no.2 but that will be a futile exercise as the respondent no.2 does not want to continue with the criminal prosecution as against the petitioner.

6. In the light of the law laid down in *Gian Singh Vs. State of Punjab*, (2012) 10 SCC 303 and *Narinder Singh Vs. State of Punjab*, (2014) 6 SCC 466, the facts justify quashing of the FIR.

7. The petition is, therefore, allowed in term of prayer clause (a).

[Sharmila U. Deshmukh, J.]

[M. S. Karnik]