

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

CRIMINAL WRIT PETITION NO.1854 OF 2025

Nitin Dattaram Lokare

.....Petitioner

Versus

The State of Maharashtra
and another

.....Respondents

Mr. Harshad Sathe, Advocate a/w Shubham Gangan for the
Petitioner.

Ms. M.M. Deshmukh, APP for the Respondent No.1-State.

**CORAM : SARANG V. KOTWAL &
S.M. MODAK, JJ.**

DATE : 08th APRIL, 2025

P.C. :

1. This is a Petition for quashing of the Sessions Case No.130/2024 pending before the District Sessions Judge, Thane arising out of C.R. No.I-640/2015 registered at Vartaknagar Police Station, Thane under Sections 366, 342, 354, 354-A, 509, 504, 506 of IPC. The FIR was registered on 18.11.2015.

2. Heard Mr. Harshad Sathe, learned counsel for the Petitioner and Ms. M.M. Deshmukh, learned APP for the Respondent No.1-State.

3. The FIR is lodged by the Respondent No.2. She has stated that between 2012 to November, 2014 she was working with the Petitioner's firm Kamdhenu Financial Services at Chiplun. She was aware that the Petitioner was married and had two children. Initially the Petitioner was treating her properly, but, subsequently he started getting physical. He started touching her unnecessarily and making advances. In December, 2014, she left his job but inspite of that the Petitioner pursued her constantly by making phone-calls. On one occasion, in January 2015 he took her to Nashik under some pretext. She was kept in a building at Trimbakeshwar. It is stated that she was made to perform some rituals showing as if they were married. Some photographs were taken. The informant somehow escaped from there and lodged this FIR. The investigation was carried out and the charge-sheet was filed. It contains the statements of her brother, cousin and father. They supported her allegations in the FIR. There are other statements of one Radhika and Rajchan, who have infact supported the Petitioner and have stated that the informant had willingly accompanied the Petitioner. There is a statement

of the Petitioner's wife. She has stated that the Petitioner and the informant developed love relationship. She herself had left her husband i.e. the Petitioner in July, 2015 through divorce proceedings.

4. In this context, now the matter is settled between the parties. The affidavit tendered by the Respondent No.2 mentions that both of them have decided to settle the matter and she was giving her consent for quashing of the proceedings. She has stated in the affidavit that she was also married and had a young child from that marriage. The Petitioner, on the other hand, has married another lady and has another child from that marriage. He is also settled with his wife.

5. In this background, the Respondent No.2 gave her unequivocal and willful consent for quashing of these proceedings. The Respondent No.2 is present in the Court. She is identified by her learned counsel. She reiterated the contents in the affidavit. She stated before the Court that she has no objection if the proceedings are quashed.

6. The matter was strictly between the Petitioner and the informant. She had settled since then. Both of them are separately married and are leading their separate peaceful lives. Both of them have young children.

7. In this view of the matter, no purpose would be served in continuation of the criminal prosecution. Therefore, we are inclined to allow this Petition.

8. Hence, the following order:

:: O R D E R ::

- i. The FIR being C.R. No.I-640/2015 registered at Vartaknagar Police Station, Thane as well as the criminal proceedings arising therefrom being Sessions Case No.130/2024 pending before the District Sessions Judge, Thane, are quashed and set aside.
- ii. The Petition is disposed of accordingly.

(S.M. MODAK, J.)

(SARANG V. KOTWAL, J.)

Deshmane (PS)