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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 15 OF 2025

Manjiri Siddharth Manjrekar

..... Petitioner

VERSUS

The State of Maharashtra & Ors.

..... Respondents

...

Mr. Mikdad Aziz Zummerwala for the Petitioners.

Mr. S. V. Gavand, Addl. P. P. for the State – Respondent No.1.

Mr.Christopher D’Souza a/w. R.Pawar for the Respondent No.3.

....

**CORAM : RAVINDRA V. GHUGE AND
RAJESH S. PATIL, JJ.**

DATE : 13th January, 2025

P.C. :

1. The Petitioner wife is admittedly involved in a matrimonial dispute with her husband. Respondent no. 3 is said to be in relationship with the husband.

2. We are informed that a divorce proceeding initiated by the husband is pending with the concerned Court. The allegation is that Respondent No.3 was having a relationship with the husband and, hence,

the Petitioner wife is said to have sent a derogatory and insulting message to Respondent No.3 who, therefore, lodged an FIR No.301 of 2015, dated 13th June, 2015 which was registered with the Sakinaka Police Station, Mumbai. Both of them have decided to bury the hatchet. The Respondent No.3 Complainant, has tendered an affidavit dated 7th January, 2025 by by E-filing. A Photostat copy of the affidavit is tendered across the bar which is marked as 'X' for identification.

3. The learned A.P.P. submits that there is a growing trend in the society wherein FIRs are registered and subsequently, parties come to the Court for quashing of the FIR by consent. In such matters, the police machinery is pressed into service and after investigation, charge-sheets are filed. Time and energy of the Police Department is utilized in such matters and eventually the parties desire to settle the dispute. He prays for heavy cost to be paid by the Petitioner as well as Respondent No.3, both of whom are employed in private sector industries.

4. The learned Advocates representing the Petitioner and Respondent No.3, pray for a lesser amount to be deposited by way of cost to the Government. They suggest Rs.25,000/- to be paid by each of them, as a donation to the Police Welfare Fund.

5. The FIR indicates that the Complainant had invoked Section 66A of the Information and Technology Act, 2000. Since Section 66A has been repealed, the charge-sheet has been filed under Section 67. There is no allegation of injuring anybody. The matter arose on account of a disturbing message sent by the Petitioner to Respondent No.3. The law laid down by the Hon'ble Supreme Court in *Narinder Singh & Ors. vs. State of Punjab & Anr., (2014) 6 SCC 466*, would enable the quashing of the FIR by consent.

6. In view of the above, **this Petition is allowed**. The FIR No.301 of 2015, dated 13th June, 2015 registered with the Sakinaka Police Station, stands quashed and set aside by consent.

7. The Petitioner as well as Respondent No.3, shall deposit an amount of Rs.25,000/- each, on the following details:-

Account Name	:	Central Police Welfare Fund
A/c. NO.	:	914010029005759
Bank	:	Axis Bank Ltd.
Branch	:	Worli, Mumbai (M.H.) - 400 025
IFSC Code	:	UTIB0000060

8. Both the learned Advocates representing the Complainant and the Petitioner submit that the said amount would be deposited within one week after uploading of this order.

9. The learned Family Court at Bandra would deliver its order after the proof of deposit of the amount is tendered in Petition No. A-2761 of 2018.

(RAJESH S. PATIL, J.)

(RAVINDRA V. GHUGE, J.)