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

**CRIMINAL WRIT PETITION NO.1953 OF 2024**

|                             |                 |
|-----------------------------|-----------------|
| Sahil Anil Katari           | ... Petitioner  |
| V/s.                        |                 |
| State of Maharashtra & Anr. | ... Respondents |

Mr. Vinayak V. Katti i/b Rukhsar Ansari with Nitán D. Mayekar for the Petitioner.

Ms. Sangeeta D. Shinde APP for Respondent No.1-State

Mr. Abhilesh Gaikwad i/b Prasad Bhabal for Respondent No.2.

Mr. Riyaz Mulla, PSI, Worli police station present.

**CORAM : BHARATI DANGRE &  
SHYAM C. CHANDAK, JJ.**

**DATE : 23<sup>rd</sup> DECEMBER, 2025**

**ORDER : (PER SHYAM C. CHANDAK, J.)**

1) Petitioner-accused in an FIR bearing C.R. No.931 of 2022 dated 23/07/2022 registered with Worli police station, Mumbai under Sections 376, 376(2)(n), 377, 323 and 506 of the Indian Penal Code, on the Report of Respondent No.2 and the consequent charge-sheet bearing Sessions Case No.516 of 2023 pending before the Sessions Court, Greater Mumbai, seeks quashing and setting aside of the same.

2) Heard Mr. Katti, learned Counsel for the Petitioner, Ms.Shinde, learned A.P.P. for Respondent No.1-State and Mr.Gaikwad, learned Counsel for Respondent No.2.

3) The learned Counsel for the parties state that after filing of this Petition, the Petitioner and Respondent No.2 arrived at a settlement and they have decided to put an end to their disputes. One of the decision Respondent No.2 has taken is to give “no objection” to quash and set aside the proceedings arising out of the said FIR and consequent Sessions case. To substantiate this statement, the learned Counsel for Respondent No.2 produced an affidavit dated 22/12/2025 duly signed and affirmed by Respondent No.2. The same is taken on record.

4) The prosecution case is that, at the relevant time, Respondent No.2 and the Petitioner were acquainted with each other as they were working in the same office. In March 2021, the Petitioner had repeatedly told the Respondent No.2 that he loves her and proposed her to marry with him. She accepted his proposal. On 05/07/2021, on the insistence of the Petitioner, Respondent No.2 came to reside with the Petitioner at Worli and thus, they were residing in live-in relationship. The Petitioner then repeatedly established forcible physical relationship with her, against her will, by emotionally manipulating that if she refused, he would commit suicide. He also subjected her to unnatural sexual intercourse. However, he used to avoid the topic of their marriage. In the meantime, they resided together in Bangalore, during that period also the Petitioner subjected her to repeated physical relationship till 23/04/2024. Thereafter, the Petitioner

went to his native place. However, he could not be contacted. It is alleged that the Petitioner, thus, cheated the Respondent No.2 and had physical relation on the false promise of marriage and against her will. Consequently, the police registered the said offence and, upon completion of the investigation, filed the charge-sheet.

5) The learned Counsel for the Petitioner stated that, now, the circumstances of the parties have changed. Therefore, the two have settled their dispute. One of the aspect of the settlement is that Respondent No.2 do not wish to prosecute the Petitioner for the alleged offences. Therefore, she has given “no objection” to quash the proceedings arising out of said FIR and the consequent Sessions Case.

6) In the said affidavit, in paragraph 3 and 4, the Respondent No.2 has stated as under :-

“3. I say that, the Respondent No.2 is a young and educated woman having her entire life and career ahead of her. After a very careful consideration, the Respondent No.2 has voluntarily taken a decision without any duress, undue influence or coercion that she do not want to continue with the Criminal proceedings against the Petitioner and has no objection if the said criminal proceedings are quashed. The parents of the Respondent No.2 are looking for a suitable groom for the Respondent No.2 and talks of her marriage are at very advanced stage. Therefore, continuing with the prosecution

and social stigma attached to it would jeopardize the Marriage prospect of the Respondent No.2 which shall cause further disruption in her life. The Respondent No.2 now holds no grudge against the Petitioner. Hence, continuing with the prosecution will only prolong the distress of the Respondent No.2 and shall not serve any meaningful purpose.

4. Further, I say that the Respondent No.2 has no objection if the criminal Proceedings against the Petitioner are quashed.”

7) Considering the facts of the case, it appears that, the love relationship between the Petitioner and Respondent No.2 did not materialise. Therefore, the said FIR came to be lodged. Subsequently, they have decided to part ways and lead their lives independently and peacefully. Therefore, continuation of the proceedings arising out of the impugned FIR, would be an interference in the settled and harmonious lives of the parties.

8) In the case of *Kapil Gupta vs. State (NCT of Delhi) and Another*<sup>1</sup>, it has been held that though the Court should be slow in quashing proceedings involving heinous and serious offences, the High Court is not foreclosed from examining whether there exists material for incorporation of such an offence or as to whether there is sufficient evidence which if proved would lead to proving the charge for the alleged offence. The Court is also required to consider whether the settlement between the parties

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would result in harmony between them and improve their mutual relationship.

9) In the wake of above, we are of the view that, it would be just and proper to quash and set aside the proceeding arising out of impugned FIR and consequent Sessions Case in the interest of justice. Hence, the following order :-

**ORDER**

- (i) Petition is allowed.
- (ii) FIR bearing C.R. No.931 of 2022 dated 23/07/2022 registered with Worli police station, Mumbai under Sections 376, 376(2) (n), 377, 323 and 506 of the Indian Penal Code, and consequent charge-sheet bearing Sessions Case No.516 of 2023 pending before the Sessions Court, Greater Mumbai is quashed and set aside.

**(SHYAM C. CHANDAK, J.)**

**(BHARATI DANGRE, J.)**