

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 2815 OF 2024

Sindhil Venkatesh Suryawanshi	]	
Age :- 27 years, Occu.:- Service	]	
Tukaram Tamber chawl, Manipada, Kalina	]	
Santacruz (East), Mumbai 400098.	]	... Petitioner.

V/s.

1.	The State of Maharashtra	]	
	Through Pant Nagar police station	]	
2.	XYZ	]	
	Age:- 33 years, (Original Complainant)	]	
	Through Pant Nagar Police Station,	]	
	Mumbai.	]	... Respondents

Mr. Ravi Dwivedi a/w Mr. Sainath S. Baji for Petitioner.
 Ms. Rutuja Ambekar, A.P.P. for Respondent No.1-State.
 Mr. Satish Shukla a/w Mr. Aditya Gole for Respondent No.2.
 Respondent No.2 present in person.
 Mr. Sohamprakash R. Padvi, A.P.I., Pantnagar, Police Station, present.

**CORAM : A. S. GADKARI AND
 RAJESH S. PATIL, JJ.
 DATE : 27th June 2025.**

JUDGMENT : (PER : A.S. Gadkari, J) :-

1) Petitioner, accused in Sessions Case No. 1082 of 2023, pending on the file of learned Additional Sessions Judge, Greater Mumbai, Mumbai, arising out of C.R.No.0475 of 2023, dated 21st July 2023, registered with

Pantnagar Police Station, Mumbai, punishable under Sections 376, 376(2)(n) and 420 of the Indian Penal Code, has filed present Petition under Article 226 of the Constitution of India, for quashing of the said case with the consent of Respondent No.2, the victim.

2) Heard, Mr. Dwivedi, learned Advocate for the Petitioner, Ms. Ambekar, learned APP for Respondent No.1-State and Mr. Shukla, learned Advocate for Respondent No.2. Perused entire record.

3) Mr. Dwivedi, learned Advocate for Petitioner submitted that, due to intervention of the relatives, family members and friends, the Petitioner and Respondent No.2 have resolve their disputes and differences and the Respondent No.2 has now given her consent for quashing of the crime in-question. He therefore prayed that, the said Sessions case and FIR be quashed with the consent of Respondent No.2.

4) Mr. Shukla, learned Advocate for Respondent No.2 submitted that, Respondent No.2 has filed Affidavit dated 10th March 2025 on record. It is stated therein that, with the intervention of the relatives, family members and friends, the Petitioner and Respondent No.2 have settled their disputes. In para No.3 of the said Affidavit, Respondent No.2 has given her no objection for quashing of the said crime in-question.

4.1) Respondent No.2 is personally present in the Court and through her Advocate reiterates the contents of her Affidavit dated 10th March 2025 and her 'No Objection' for quashing of case in question.

5) Perusal of First Information Report and other record indicates that, Respondent No.2 was a divorcee. Respondent No.2 got acquainted with the Petitioner in April 2020 while playing online game, namely PUBG. She came into contact with Petitioner. Their acquaintance was subsequently blossomed into an affair. It is alleged that, by giving promise to marry, the Petitioner established physical relations with Respondent No.2. In the FIR itself the Respondent No.2 admits that, she joined the company of Petitioner at various places and had drinks with him.

5.1) It be noted here that, in April 2020, the Respondent No.2 was approximately 29 years of age and was a divorcee. Perusal of First Information Report and other material on record indicates that, the relations between Respondent No.2 and Petitioner were consensual in nature.

6) In view of the above, we are inclined to quash Sessions Case No. 1082 of 2023, pending on the file of learned Additional Sessions Judge, Greater Mumbai, Mumbai, arising out of C.R. No. 0475 of 2023, dated 21st July 2023, registered with Pantnagar Police Station, Mumbai.

7) As we expressed our opinion for quashing of said criminal case, Mr. Dwivedi, learned counsel for Petitioner on instructions submitted that, the Petitioner will pay a cost of Rs.1,00,000/- to Bar Council of Maharashtra and Goa's Advocate Academy and Research Center, within a period of two weeks from the date of uploading of the present Order on the official website of the High Court of Bombay. The said statement is accepted as an undertaking given

to this Court.

8) We therefore direct the Petitioner to pay a cost of Rs.1,00,000/- to Bar Council of Maharashtra and Goa's Advocate Academy and Research Center within a period of two weeks from the date of uploading of the present Order on the official website of the High Court of Bombay.

8.1) Details of the bank Account for payment of cost are as under:-

Account Name	:-	BCMG'S Advocate Academy & Research Center
Account Number	:-	000120110001327
Bank Name	:-	Bank of India
Branch Name	:-	Mumbai Main
IFSC Code	:-	BKID00000001
Type of Account	:-	Current A/c

8.2) Petitioner to pay the said cost of Rs.1,00,000/- within stipulated period as noted above and submit its receipt in the Registry of this Court.

9) In view of above and subject to payment of cost, Petition is allowed in terms of prayer clause (c).

10) It is made clear that, if the cost is not paid within stipulated period as mentioned above, Petition shall stand revived automatically and in that event, the Sessions Court will proceed with the said case expeditiously.

11) List the Petition on board on 8th August 2025, under the caption 'For Reporting Compliance' of present Order.

(RAJESH S. PATIL, J.)

(A.S. GADKARI, J.)