

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.4302 OF 2024

Khaled Zaher Ahmed Abdullah

...Petitioner

Versus

The State of Maharashtra and Another

...Respondents

SATISH
RAMCHANDRA
SANGAR

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SATISH RAMCHANDRA
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Date: 2025.03.29
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Mr.Pradyumna Sharma a/w Mr.Jitendra S. Mishra,
Mr.Dharmendra Mishra, Mr.Randhirkumar N. Mandal and
Mr.Sandeep J. Pawar – Advocates for Petitioner.

Smt.M.H.Mhatre – APP for Respondent No.1 – State.

Mr.Akhil Gurwada – Advocate for Respondent No.2.

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

DATE : 27th MARCH 2025

P.C. :

1. The Petition is filed for quashing of the F.I.R. registered vide C.R. No.51 of 2024 at Kashigaon Police Station on 17th April 2024 under Section 376 of the Indian Penal Code, 1860 (“IPC”). The Respondent No.2 has lodged the F.I.R. who is the father of the alleged victim. In the F.I.R. he has stated that his daughter ‘P’ was 32 years of age. He had other daughter and a son. In February-2023, he came to know that ‘P’ had love relationship with the Petitioner but since he belonged

to a different religion, the Respondent No.2 and his family were opposed to this relationship. But, inspite of that, his daughter 'P' was not listening to him, and she continued meeting the Petitioner. She left the house on 10th March 2024. The Respondent No.2 lodged a complaint for missing of his daughter 'P'. The Police searched for her and she was found in the Petitioner's house at Kashigaon, Taluka : Mira Road, District : Thane. The Respondent No.2 brought her home. His daughter 'P' had become pregnant.

On these allegations, the F.I.R. is lodged.

2. It is alleged that the Petitioner took wrong advantage of the stressful state of mind of 'P' and made her pregnant.

3. Now, the matter is settled between the Respondent No.2 and the Petitioner. In fact, the Respondent No.2's daughter is residing with the Petitioner. Both of them are blessed with a daughter who is about 10 months old.

4. The Respondent No.2's daughter has filed an Affidavit in this Court. It is affirmed before the Assistant Registrar of this Court. The Respondent No.2 himself is present in the Court. He informed the Court, that his daughter is

residing happily with the Petitioner who is looking after the daughter 'P' and also the child. The informant / Respondent No.2 has no grievance against the Petitioner.

5. Considering this situation, since the Respondent No.2's daughter was in love-relationship with the Petitioner, both of them are married, as is mentioned in the Affidavit and both of them are blessed with a child, the criminal prosecution against the Petitioner will serve no purpose. It is in the interest of the child also that the proceedings are quashed. Hence, the following order:-

O R D E R

(i) The F.I.R. registered vide C.R. No.51 of 2024 with Kashigaon Police Station and the consequent proceedings arising out of it are quashed and set aside.

6. With these observations, the Petition is disposed of.

(S.M.MODAK, J.)

(SARANG V. KOTWAL, J.)