

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.6194 OF 2024

Kiran Dilip Khandagale
Age : 30 Years, Occupation : Nil,
Residing at : Near Sahara Stadium,
Gahunje, Pune.

...Petitioner

Versus

1. XYZ
Age : 28 Years, Occupation : Nil.

2. The State of Maharashtra
(Through the Talegaon Dabhade
Police Station, Pune).

...Respondents

Mr.Kunal Shinde – Advocate for Petitioner.

Mr.Sumant R. Deshpande – Advocate for Respondent No.1.

Mr.J.P.Yagnik – APP for Respondent No.2 – State.

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

DATE : 10th FEBRUARY 2025

P.C. :

1. This is a Petition for quashing of the FIR registered vide C.R. No.101 of 2019 at Talegaon Dabhade Police Station and also the resultant Sessions Case No.534 of 2022 pending on the file of the Additional Sessions Judge at Vadgaon Mawal,

District Pune under Sections 354, 323, 504, 506 of the Indian Penal Code, 1860 (“**IPC**”).

2. The FIR is lodged by the Respondent No.1. She has described the incident dated 14th January 2019 allegedly at 7.30 p.m. On that day, when the informant’s husband had gone in front of the house of the present Petitioner to collect wood, the Petitioner’s wife stopped him. The Petitioner came there and started abusing the informant’s husband. It is alleged, that the Petitioner then outraged the informant’s modesty and abused her. On this basis, the FIR is lodged. The investigation was carried out and the charge-sheet is filed.

3. There are two injuries in the nature of tenderness and scratch mark. There are statements of the alleged eye-witnesses Savita, Suvarna, Lata, Shahida and Uttam. All of them have supported her allegations in the FIR.

4. However, the matter is now settled between the parties. The Respondent No.1 has given her “No objection” to quash the proceedings. She has stated in her Affidavit, that she has realised the value of peaceful co-existence. She has chosen to forgive the Petitioner. She has further stated, that she has realised that the FIR was lodged because of the misunderstanding and she has given her clear voluntary

Satish Sangar

consent for quashing of the FIR and the aforementioned Sessions Case. The matter was personal between the parties. The Respondent No.1 has stated in her Affidavit, that the FIR was lodged on some misunderstanding.

5. She is present in the Court. She is identified by her learned counsel. She expressed her genuine wish to give “No objection” to quash the proceedings. Since, she has stated that the FIR is lodged based on some misunderstanding and since she is giving her consent based on willingness, the Petition can be allowed. Hence, following order:-

O R D E R

- (i) The C.R.No.101 of 2019 registered with Talegaon Dabhade Police Station, Pune and the resultant Sessions Case No.534 of 2022 are quashed and set aside.
- (iii) The Petition stands disposed of.

(S.M.MODAK, J.)

(SARANG V. KOTWAL, J.)