

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.6203 OF 2024

Nitin Dharmaji Bodke
Age : 29 Years, Occupation : Nil,
Residing at : Near Sahara Stadium,
Gahunje, Pune.

...Petitioner

Versus

1. XYZ
Age : 26 Years, Occupation : Nil.

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

...Respondents

Mr.Sumant R. Deshpande – Advocate for Petitioner.
Mr.Kunal Shinde – Advocate for Respondent No.1.
Mr.S.V.Gavand – 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.97 of 2019 at Talegaon Dabhade Police Station, Pune and the consequent Special Case No.127 of 2022 pending on the file of the learned Special Judge at Vadgaon Mawal,

District Pune under Sections 294, 354-A, 324, 506 of the Indian Penal Code, 1860 (“**IPC**”), under Sections 6, 3(1)(v), 3(2) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (“**SC & ST Act**”) and under Sections 7(1)(d) of the Protection of Civil Rights Act, 1955.

2. The FIR is lodged by the Respondent No.1 herein in respect of the incident dated 14th January 2019 which had allegedly taken place at around 7.30 p.m. She has stated that at that time, the Petitioner came near their house and had removed the wood and old tin shades. The informant resisted him. It is alleged, that the Petitioner slapped her. He uttered derogatory words in respect of the informant’s caste. He abused them and assaulted the informant. He also outraged her modesty.

On this basis, the FIR is lodged. The investigation was carried out and the charge-sheet was filed. It contains the statements of grandmother of the informant’s husband, statement of her husband and of her brother-in-law. This statement supports the informant’s case.

3. However, now, the matter is settled between the parties. The Respondent No.1 has tendered her Affidavit. It is mentioned that the allegations in the FIR are personal in

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nature. She has realised value of peaceful co-existence. She wanted to forgive the accused. She has further stated, that she had realised that the FIR is lodged because of misunderstanding. She has given her voluntary consent for quashing of this proceeding.

4. She is present in the Court. She is identified by her learned counsel. She has stated before the Court, that she has “No objection” for quashing of the proceedings. In fact, she wanted the proceedings to be quashed.

5. Considering the situation and since the dispute between them was predominantly private in nature and also taking into account the fact, that there was a cross FIR in respect of the said incident which was quashed by a separate order passed in Writ Petition No.6194 of 2024, no purpose would be served in continuation of the proceedings since both the parties have withdrawn their allegations made against each other. Hence, following order:-

ORDER

- (i) The C.R.No.97 of 2019 registered with Talegaon Dabhade Police Station, Pune and the consequent Special Case No.127 of 2022 are quashed and set aside.

(iii) The Petition stands disposed of.

(S.M.MODAK, J.)

(SARANG V. KOTWAL, J.)