

WRIT PETITION NO. 6718 OF 2024

Mr. Vishnu Arun Kumar Goel	...	Petitioner
versus		
The State of Maharashtra & Anr.	...	Respondents

Mr.Sandeep A. Sherkhane with Ms.Priyanka Chhabria, Ms.Sandhya Kale and Mr.Mahesh for the Petitioner.

Mr.A.A.Palkar, APP for Respondent No.1, State.

Mr.Heramb S. Kadam with Mr.Saket A.Kesarkar for Respondent No.2.

**CORAM : RAVINDRA V. GHUGE &
PRAVIN S. PATIL, JJ.**

DATE : 27TH JANUARY, 2025

P.C. :-

1. The parties are before us praying for quashing of the First Information Report (FIR) bearing No. 1283 of 2024, dated 3rd November, 2024 registered with the Santacruz Police Station, Brihan Mumbai City. Sections 75, 78, 352 and 351 (2) of the Bhartiya Nyaya Sanhita, 2023 and Section 67 (A) of the Information Technology Act, 2000, have been invoked.

2. The learned Advocate for the Petitioner places on record an affidavit dated 24th January, 2025 (3 pages). The said

original affidavit is taken on record and marked as 'X' for identification.

3. We have perused the statements made in the affidavit 'X' and the undertaking by the Petitioner that he would not in any manner whatsoever, directly or indirectly, cause any nagging or harassment to the Complainant and would never ever make an attempt to again contact her, directly or indirectly. It is also undertaken that he will not state anything about the Complainant on the virtual platform or the social media websites. He has also declared that he does not have any video or photographs of the Complainant.

4. The Complainant, in the light of the affidavit 'X', is assured.

5. In view of the above, **this Writ Petition is allowed**, by consent, in terms of prayer clause (a), which reads as under :

“a) That his Hon’ble Court be pleased to issue any appropriate order or direction or a writ more particularly in the nature of Mandamus and quash the FIR No. 1283 of 2024 registered with Santacruz Police Station”.

6. Needless to state, if the Petitioner violates any term of the understanding between the parties or the affidavit 'X' or if he causes any difficulty to the Complainant in any manner whatsoever, the Complainant would be at liberty to seek restoration of this FIR, inasmuch as, we would consider the conduct of the Petitioner as aggravated disobedience of this order.

(PRAVIN S. PATIL, J.)

(RAVINDRA V. GHUGE, J.)