

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION [APL] NO.1115 OF 2024

Asifali Sahid ShahApplicant
Versus
The State of Maharashtra
and anotherRespondents

Ms. Beerta H Bajwa, Advocate a/w. Sabo Mhate, Kokila Kalra for
the Applicant.

Ms. M.H. Mhatre, APP for the Respondent No.1-State.

Ms. Alifiya Manasawala, Advocate for the Respondent No.2.

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

DATE : 30th APRIL, 2025

P.C. :

1. This is a Application for quashing of the proceedings arising out of Sessions Case No.132/2024 pending before the Sessions Judge, Belapur, Navi Mumbai arising out of the FIR being C.R. No.47/2024 registered with Nerul Police Station, Navi Mumbai for the offences punishable under Section 376 of IPC.

2. Heard Ms. Beerta Hbajwa, learned counsel for the Applicant, Ms. M.H. Mhatre, learned APP for the Respondent No.1-State and Ms. Alifiya Manasawala, learned counsel for the Respondent No.2.

3. The FIR is lodged by the Respondent No.2 on 2.2.2024. Though the charge-sheet is filed, the main allegations are mentioned in the FIR itself. According to the Respondent No.2, she got acquainted with the Applicant through Social Media. Their acquaintance turned into friendship and then into love relationship. The FIR thereafter describes various instances where they had their physical relations at different places, including a lodge. The Applicant had promised to marry her. After many such instances, he refused to marry the informant. On these allegations, the FIR is lodged.

4. Now the parties have settled their differences. The first informant has filed her affidavit affirmed before the Assistant Registrar of this Court. She has stated in her affidavit that the Petitioner has now married the informant. They have arrived at a settlement and the informant has agreed to withdraw the allegations. She has given her specific no objection for quashing of these proceedings.

5. Learned APP has interacted with the informant. Learned APP Mrs. Mhatre stated before the Court that the

informant is standing by the averments made in the affidavit and she has no objection for quashing of these proceedings.

6. Since the parties have now married each other, nothing further survives in this prosecution. Initially it was a consensual physical relation which has culminated into marriage of the informant with the Petitioner and, therefore, this is a fit case where the proceedings can be quashed.

7. Hence, the following order:

:: O R D E R ::

- i. The FIR being C.R. No. 47/2024 registered with Nerul Police Station, Navi Mumbai as well as the consequent criminal proceedings being Sessions Case No.132/2024 pending before the Sessions Judge, Belapur, Navi Mumbai, are quashed and set aside.
- ii. The Application is disposed of accordingly.

(S.M. MODAK, J.)

(SARANG V. KOTWAL, J.)