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IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION NO. 1220 OF 2024****Surjit Singh Dhyan Singh****..... Applicant****VERSUS****The State of Maharashtra & Anr.****..... Respondents**

...

Mr. Ravishankar Dwivedi for the Applicant.

Ms. P. N. Dabholkar, A. P. P. for the State.

Mr. Sainath S. Baji for the Complainant/Respondent No.2.

....

**CORAM : RAVINDRA V. GHUGE AND
RAJESH S. PATIL, JJ.****DATE : 21st January, 2025****P.C. :**

1. By this Application, the Applicant has prayed for quashing of the FIR No. 0518 dated 30th May, 2024 registered with the Dharavi Police Station, Brihan Mumbai Shahr. Sections 376, 376 (2) (n), 323, 504 and 506 of the Indian Penal Code, 1860 have been invoked.

2. The learned A.P.P. submits that the charge-sheet after investigation has been filed.

3. The learned Advocate representing Respondent No.2 Complainant submits that the Complainant was already married. The Accused was unmarried. She does not desire to proceed with the trial in view of the fact that she is married and it is likely that her married life would be destroyed.

4. The learned A.P.P. vehemently submits that FIRs are registered and after the investigation is over, the parties come together and settle their issues. However, time and energy of the Police Department, besides incurring expenses for investigation, is an issue which nobody thinks of. She, therefore, submits that heavy cost be imposed on the Applicant.

5. The learned Advocate for the Applicant submits on instructions from the Applicant present in the Court that he is willing to donate an amount of Rs.50,000/-, to the Central Police Welfare Fund.

6. Considering the law laid down by the Hon'ble Supreme Court in *Kapil Gupta vs. State (NCT of Delhi) & Anr., (2022) 15 SCC 44*, this Criminal Application is allowed in terms of prayer clause (c)

which reads as under :-

(c) This Hon'ble Court on satisfying itself as to the correctness and legality of the Chargesheet at "ANNEXURE-A (1)" hereto be quashed and set aside FIR bearing C.R. No. 518 of 2024 registered with Dharavi Police Station and consequently proceedings bearing Session Case No. 861 of 2024 pending before the Session Court For Greater Mumbai At Mumbai, be quashed and set aside.

7. With record that the Applicant would deposit an amount of Rs.50,000/- on the following bank account details :-

Account Name: Central Police Welfare Fund

A/c. NO.:914010029005759

Bank: Axis Bank Limited

Branch: Worli, Mumbai (M.H.) - 400 025

IFSC Code: UTIB0000060

8. Let the said amount be deposited on or before 21st February, 2025.

9. List this disposed off Application for **recording compliance** on 28th February, 2025.

(RAJESH S. PATIL, J.)

(RAVINDRA V. GHUGE, J.)