

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

CRIMINAL APPLICATION NO.1550 OF 2024

Chetan Mahadev Ghadi Applicant
versus
The State of Maharashtra & Anr. Respondents

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- Mr. Sandeep Dubey, Advocate for Applicant.
- Mr. S. R. Agarkar, APP for the State/Respondent.
- Mr. Ashvin Hon i/b. Mr. Govind Prajapati, Advocate for Respondent No.2.

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

DATE : 17th FEBRUARY, 2025

P.C. :

1. This is an application for quashing of the FIR registered vide C.R.No.439 of 2024 dated 13/06/2024 at Bangar Nagar police station, Mumbai, u/s 328 of the Indian Penal Code. During pendency of this application, the charge-sheet is filed. Learned counsel for the Applicant placed copy of the charge-sheet on record. It is taken on record and marked 'X-collectively' for identification.
2. Learned APP submitted the C.A. report. It is taken on record and marked 'Y' for identification.

3. Learned counsel for the Applicant seeks quashing of the proceedings arising out of the same FIR. The FIR is lodged by the Respondent No.2. She has stated that she was working with the Applicant since 16/04/2021. The Applicant was conducting a business with his wife and was having a pharmaceutical shop. The Respondent No.2 started working in the Accounts Department. But since she was finding it inconvenient to work in the shop, she was given a separate bedroom in the residence of the Applicant, which was used as a office. The allegations in the FIR are that on 12/06/2024, the Respondent No.2 drank some water from a bottle from the refrigerator. She felt dizziness. It is her case that the Applicant had called her to his bedroom, but she did not respond because she was not feeling well. In the evening at about 05.00 p.m. the Applicant left the house. The housemaid told her that she should not drink anything if the Applicant gave it to her. She told the Respondent No.2 that the Applicant's intentions were not good. He had committed similar act with another girl working with him as a housemaid. The Respondent No.2 then carried that

bottle to a family Doctor. She took treatment. The Doctor expressed that there was something mixed in that water. On the next day, i.e. on 13/06/2024, she went to the police station and lodged the FIR. The charge-sheet is now filed. The charge-sheet does not contain any statement, which could take the allegations in the FIR any further except the statement of that housemaid. There is no statement of any other alleged victim. The C.A. report produced on record by the learned APP does not show that any intoxicating substance was mixed in the bottle. Therefore, from the charge-sheet there does not appear to be any material against the Applicant.

4. In any case, the parties have now settled the matter. The Respondent No.2 has filed an affidavit in the Court stating that she has no objection for quashing of the FIR. 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. She stated before the Court that the FIR was lodged because of some misunderstanding.

5. We have considered this situation. The charge-sheet does not make out any case against the Applicant. In any case, the parties have settled the matter and the informant has no objection for quashing of the proceedings, as she submitted that the FIR was lodged through some misunderstanding and as the C.A. report does not show any intoxicating or harmful substance having been mixed in the water; we are inclined to allow this application.

6. Hence, the following order :

ORDER

(i) The FIR registered vide C.R.No.439 of 2024 dated 13/06/2024 at Bangar Nagar police station, Mumbai and the consequent proceedings arising out of the said FIR, are quashed and set aside.

(ii) The application is disposed of.

(S. M. MODAK, J.)

(SARANG V. KOTWAL, J.)