

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

CRIMINAL WRIT PETITION NO.700 OF 2025

Sruti Dasgupta

.....Petitioner

Versus

The State of Maharashtra

and another

.....Respondents

Mr. Sumit Krishna Kumar Tiwari, Advocate for the Petitioner.

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

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

DATE : 08th APRIL, 2025

P.C. :

1. This is a Petition for quashing of the proceedings being Regular Criminal Case No.2530/2023 pending before the 2nd J.M.F.C., Thane arising out of C.R. No.22/2023 registered at Chitalsar police station, Thane under Sections 354-D, 500, 506(2), 507 of IPC.

2. Heard Mr. Sumit Krishna Kumar Tiwari, learned counsel for the Petitioner and Ms. M.H. Mhatre, learned APP for the Respondent No.1-State.

3. The FIR is lodged by the Respondent No.2 in his

capacity as the Head Legal & Indirect Taxation Officer of his company. To protect the privacy, the name of the complainant is not mentioned in this order.

4. It is not necessary to reproduce the entire details of the FIR. However, the gist of the FIR is that the Petitioner was working with the company. She was terminated from her job with the said company. After that she started sending emails and posting messages on social networking sites defaming the company and its employees. She sent various emails to many officers of the company. Those emails were in obscene language and were particularly defamatory against the Human Resource Officer Smt. Batra and I.T. Head Smt. Taj. The FIR gives details of those emails which contain obscene language. Without doubt these emails and posts were quite offending. On these allegations, the FIR is lodged.

5. However, now the matter is settled between the parties. The first informant as well as Smt. Batra have filed the separate affidavits. Smt. Taj has not filed her affidavit. Therefore, we need to protect the interest of Smt. Taj. The

present proceedings are initiated by the first informant as Legal Head Officer of the said company. He is the first informant. His affidavit and the affidavit of other aggrieved person Smt. Batra are important. Both of them have stated in their affidavits that the matter is amicably settled and that they have no objection for quashing of the proceedings.

6. The first informant is present before the Court. He reiterated the contents of the affidavit. The aggrieved person Smt. Batra is not preset before the Court, but, she has affirmed her affidavit before the Assistant Registrar of this Court, therefore, we are taking her affidavit into account.

7. Learned counsel for the Respondent No.2 – the first informant submitted that the Petitioner is a young girl of marriageable age. This criminal proceeding is hampering her entire future prospects. During pendency of these proceedings, she lost her grand-mother and her mother had suffered a stroke. In short, the Petitioner is going through really bad times and as an ex-employee of the company, the company is taking lenient view towards her.

8. Considering this situation, we are inclined to allow this Petition. At the same time, we have to protect the rights of other aggrieved person Smt. Taj.

9. Hence, the following order:

:: O R D E R ::

- i. The FIR being C.R. No.22/2023 registered at Chitalsar police station, Thane as well as the criminal prosecution arising therefrom being Regular Criminal Case No.2530/2023 pending before the 2nd J.M.F.C., Thane, are quashed and set aside.
- ii. The remaining aggrieved person, viz., Smt. Taj is at liberty to take appropriate steps in accordance with law if she deems fit in the facts of this particular case.
- iii. With these observations, the Petition is disposed of.

(S.M. MODAK, J.)

(SARANG V. KOTWAL, J.)

Deshmane (PS)