

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

CRIMINAL WRIT PETITION NO. 786 OF 2025

Vijay Kumar Singh

..Petitioner

Versus

The State of Maharashtra & Anr.

..Respondents

Mr. Ashish Gabhale i/b. Jay and Co. for Petitioner.

Smt. M. M. Deshmukh, APP for State/Respondent.

Ms. Iraa Dube Patil i/b. Anandrao S. Kate for the Respondent No.2.

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

DATE : 11 MARCH 2025

PC :

1. This is a petition for quashing of the F.I.R. registered vide C.R.No.733 of 2024 at Manpada police station, on 30.05.2024, U/s.354 of the I.P.C. The F.I.R. was lodged by the Respondent No.2. She has stated in her F.I.R. that, she was a married lady, but she was not residing with her husband. Her husband was residing with their children at Madhya Pradesh. She was residing at Kalyan (E). About 4 to 5 days prior to lodging of the F.I.R., her friend had come to reside with her. On 27.05.2024, she wanted to celebrate the occasion of her son's birthday and, therefore, she had called

the petitioner to her house as she was knowing him. At about 7:00p.m. the petitioner had gone to her house. They had dinner and they they were chitchatting with each other at about 10:30p.m. It is her case that, at that time, the petitioner did an act which amounted to outraging of her modesty. At that point, the Respondent No.2's friend came to her house. When the petitioner saw him, the petitioner left from there. After that, the Respondent No.2 discussed this matter with her friend and then this F.I.R. was lodged on 30.05.2024.

2. Now, the Respondent No.2 does not want to proceed with the prosecution. She has filed her Affidavit giving consent for quashing of these proceedings. She has stated in her affidavit that the petitioner has already undergone unnecessary mental agony and it would be unjust to make him suffer further. She has described that the F.I.R. in respect of the alleged incident was based on misunderstanding on the part of her friend and because of that she had no option but to lodge the F.I.R. She has given her consent for quashing of the F.I.R.

3. Learned APP, Smt. M. M. Deshmukh interviewed the

Respondent No.2 in a free atmosphere. Smt. Deshmukh conveyed to the Court that it was a genuine wish of the Respondent No.2 that the proceedings be quashed.

4. We have considered this situation. The Affidavit indicates that the F.I.R. was lodged at the instance of a friend of the Respondent No.2 and that it was a result of misunderstanding. She has further stated that she did not want the petitioner to suffer any more. She has given her consent for quashing of the proceedings. The dispute, if at all, it was there, was purely a private dispute. The society at large is not involved. The Respondent No.2 genuinely wants to end the proceedings against the Petitioner. Therefore, we are inclined to allow this petition.

5. Hence, the following order:

O R D E R

- i) The F.I.R. registered vide C.R.No.733 of 2024 at Manpada police station, on 30.05.2024, U/s.354 of the I.P.C. is quashed and set aside.
- ii) The Writ Petition is disposed of.

(S. M. MODAK, J.)

(SARANG V. KOTWAL, J.)