

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.819 OF 2025

SATISH  
RAMCHANDRA  
SANGAR

Nagamurali Chandramohan Kasani

...Petitioner

Versus

The State of Maharashtra and Anr.

...Respondents

Digitally signed by  
SATISH RAMCHANDRA  
SANGAR

Date: 2025.04.15  
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Mr.Karan L. Jain – Advocate for Petitioner.

Smt.M.H.Mhatre – APP for Respondent No.1 – State.

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

DATE : 9<sup>th</sup> APRIL 2025

P.C. :

1. This matter is placed on today's board at the instance of the learned counsel for the Petitioner. Learned counsel submitted that there was a typographical error in the Petition which was carried forward in the order dated 10<sup>th</sup> February 2025. He submitted that the prayer clause in the Petition mentions Sessions Case No.2396 of 2024 pending before the Sessions Court, Pune. The same number is carried in the operative part of the order dated 10<sup>th</sup> February 2025. He has submitted that the correct Sessions Case Number is 3396 of

2024. He has submitted that there is a slight modification in the name of the Petition which is required to be carried out. The name mentioned in the title clause of the Petition is carried forward in the said order dated 10<sup>th</sup> February 2025. He seeks leave to amend to correct the typographical errors in the main Petition, and submits that the same correction be made in the order dated 10<sup>th</sup> February 2025.

2. Considering that, it is an inadvertent typographical error, the learned counsel for the Petitioner is granted leave to amend the Petition. The amendment shall be carried out forthwith. The corresponding typographical errors be corrected in the title clause of the Petition, and also in the operative part, clause (i) of the order dated 10<sup>th</sup> February 2025, mentioning the correct Sessions Case No.3396 of 2024. The Petitioner's name also be corrected according to the amendment carried out by the learned counsel for the Petitioner.

3. The rest of the order shall remain as it is. The corrected order be uploaded.

(S.M.MODAK, J.)

(SARANG V. KOTWAL, J.)

**CORRECTED ORDER DATED 10<sup>th</sup> FEBRUARY 2025 READS  
THUS:-**

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**CRIMINAL WRIT PETITION NO. 819 OF 2025**

Nagamurali Chandramohan Kasani .....Petitioner

Versus

The State of Maharashtra and Anr. ....Respondents

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Mr. Karan L. Jain - Advocate for the Petitioner.

Mr. Siddharth Jagesha – Advocate for Respondent No. 2

Smt. M. H. Mhatre - APP for the Respondent-State.

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

**DATE : 10<sup>th</sup> FEBRUARY 2025**

**P.C. :**

1. This is a petition for quashing of the F.I.R. registered vide C.R. No. 497 of 2024, dated 05.06.2024, at Chaturshringi Police Station, Pune, under Sections 376, 376 (2) (n) and 417 of the Indian Penal Code.

2. The investigation is over, and the charge-sheet is filed.

3. Heard learned Advocate Shri Jain for the Petitioner, learned Advocate Shri Jagesha for the Respondent No. 2 and learned APP Smt. Mhatre for the Respondent No. 1-State.

4. Leave to amend the petition to mask the name of the Respondent No. 2 is granted. Amendment shall be carried out forthwith.

5. The F.I.R. is lodged by the Respondent No. 2. She has stated that she was working in Software Company at Baner, Pune since 2015. The Petitioner started working in the same Company. They got acquainted and they fell in love. The Petitioner got married to someone else in 2016; but in spite of that, the Respondent No. 2 and the Petitioner continued meeting each other. It is alleged that, in the year 2018, they had their physical relations. The Petitioner told the informant that he would obtain divorce from his wife. It is her case that the physical relations were against her will. Both of them were working in the same office. They used to go out together frequently. She has clearly stated that they had physical relations at different places. She herself got married to another person on 17.02.2024. The Petitioner had attended that wedding. But even thereafter, he continued to be in touch with her and told her that she should give divorce to her husband. Accordingly, she filed divorce proceedings. After that, on 12.05.2024, the Petitioner came to her house and established

physical relations. On this basis, the F.I.R. is lodged.

6. The investigation is carried out and the charge-sheet is filed. Charge-sheet contains statement of informant's parents. They have stated that their son-in-law i.e. informant's husband complained to them that she was having relations with the Petitioner, therefore, he left the informant with them.

7. The informant has filed an affidavit before this Court. She has stated in the affidavit that they have resolved the dispute. She did not want to continue with the present case. She has no objection for quashing of the F.I.R.. She has agreed to unconditionally withdraw all allegations. She has given her specific no objection. She is present in the Court. She is identified by her learned Counsel. She reiterated the statements made in the affidavit and insisted that the proceeding be quashed.

8. We have considered these submissions. From the entire charge-sheet and from the F.I.R. itself, it is quite clear that it was purely a consensual physical relationship. Both of them were adults. Both of them had got married with their separate spouses and in spite of that, they continued to have

physical relations. Therefore, it is quite clear that the informant was very much aware of the consequences of her act. The physical relations were clearly kept with her free will and consent. Since the Parties have settled their dispute and since the Respondent No 2 has filed her affidavit giving her consent for quashing of the proceedings, the petition can be allowed. However, we are inclined to impose cost on the Petitioner. The quashing of the proceeding would be subject to payment of the cost. Hence, the following Order:-

### **ORDER**

- (i) The F.I.R. No. 497 of 2024, dated 05.06.2024 registered at Chaturshringi Police Station for the offences punishable under Sections 376, 376(2)(n) and 417 of the Indian Penal Code and the consequent proceedings i.e. Sessions Case No. 3396 of 2024 pending before Sessions Court, Pune are quashed and set aside subject to the Petitioner paying Rs. 25,000/- as cost in the Police Welfare Fund and Rs. 25,000/- to the Respondent No. 2.

The details of Police Welfare Fund are as follows :-

Bank Name :- Axis Bank Limited  
Branch Name :- Worli, Mumbai (H.H.)  
Mumbai – 400025.  
Account Name :- Central Police Welfare  
Fund  
Account No. :- 914010029005759  
IFSC Code :- UTIB0000060

(ii) Cost shall be paid within a period of eight weeks from today.

(iii) If, the cost is paid as directed, the Petitioner shall provide the proof of the same in the Registry. If such proof is produced, then there shall be no further reference to the Court. But if such proof is not produced, then the Registry shall place this matter for further consideration before the Court and in that case, this order would be liable to be recalled.

9. With these observations, the petition is disposed of.

**(S.M. MODAK, J.)**

**(SARANG V. KOTWAL, J.)**