IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1067 OF 2025

Keenan Valintino Pereira & Anr. .... Petitioners
versus
The State of Maharashtra & Anr. .... Respondents

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- Mr. Waqar Pathan a/w Mr. A. Bhattacharya i/b. Wesley Menenzes, Advocate for Petitioners.
- Mr. J. P. Yagnik, APP for the State/Respondent.
- Mr. Yash Atre a/w Ms. Trupti Kudtudkar, Advocate for Respondent No.2.

CORAM : SARANG V. KOTWAL &
S. M. MODAK, JJ.
DATE : 04th MARCH, 2025

P.C. :

1. This is a Petition for quashing of the FIR registered vide C.R. No.846/2024 at Bandra Police Station, Mumbai, u/s 74, 79, 115(2), 352 of Bharitya Nyay Sanhita, 2023.

2. Heard Mr. Waqar Pathan, learned Counsel for the Petitioners, Mr. Yash Atre, learned counsel for the Respondent No.2 and Mr. J. P. Yagnik, learned APP for the State.

3. Learned APP informed the Court that the charge-sheet in this case is filed. He produced a copy of charge-sheet before the Court for perusal. Learned counsel for the Petitioner

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submitted that the charge-sheet be also quashed. Leave to amend the prayer clause in that behalf is granted. Amendment be carried out forthwith. Leave to amend is also granted to correct the spelling mistake in the name of the Petitioner No.1. That amendment also be carried out forthwith.

4. The FIR is lodged by the Respondent No.2. She has stated that she was knowing the Petitioner No.1 since 2016. They were good friends. In 2019, they had decided to get married. Her parents were after her to get married at the earliest. However, about 8 months prior to lodging of the FIR, suddenly the Petitioner No.1 told her that he would not marry her. After that, they had stopped contacting each other. But on 08/09/2024, at around 11.41 p.m. the Petitioner No.1 sent her a message and asked her to meet him at Bandra. The Respondent No.2 went there without informing anybody from her family. It is her case that the Petitioner No.1 was under influence of liquor. He picked up quarrel with her. He abused her and uttered the words outraging her modesty. He pushed her thereby physically outraging her modesty. The Petitioner No.1 was accompanied by the Petitioner No.2. On these allegations the FIR is lodged.

5. The investigation was carried out and the charge-sheet is filed. The charge-sheet basically relies on the statement of the first informant/Respondent No.2.

6. Now the matter is settled between the parties. She has given her specific no objection in that affidavit. She has stated that after intervention of family and well-wishers, she has amicably resolved all disputes with the Petitioners. They have also filed consent terms. She has clearly stated that she has no grievance, resentment, or ill will against the Petitioners. She has stated that her emotional turmoil clouded her judgment at the time of lodging the FIR and she has realized that it was an impulsive decision taken in distress. She further stated that she has recognized that prolonging this matter would serve no meaningful purpose. Stating so, she has given her specific no objection for quashing of the proceedings. She has stated that this would allow all the parties involved to move forward positively and close this matter.

7. The Respondent No.2 is present in the Court. She is identified by her counsel. She has reiterated the statements made by her in the affidavit. She told the Court that the proceedings be quashed. The dispute between them is purely personal in nature. The Respondent No.2 has decided to move forward. She has given her no objection for quashing of these proceedings. Both the parties are young and their entire lives are ahead of them. In this view of the matter, no purpose would be served in continuing with the prosecution. Therefore, we are inclined to allow this Petition.

8. Hence, the following order :

O R D E R

(i) The FIR registered vide C.R. No.846/2024 at Bandra Police Station, Mumbai and the further proceedings arising out of the said FIR, are quashed and set aside.

(ii) The Petition is disposed of.

(S. M. MODAK J.) **(SARANG V. KOTWAL, J.)**