

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

CRIMINAL WRIT PETITION NO.1768 OF 2025

Anket Ashok More

.... Petitioner

versus

The State of Maharashtra & Anr.

.... Respondents

.....

- Mr. Ashley Cusher a/w Vaibhav Patil, Advocate for Petitioner.
- Smt. M. M. Deshmukh, APP for the State/Respondent.

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

DATE : 08th APRIL, 2025

P.C. :

1. This Petition is filed for quashing of the proceedings in connection with Sessions Case No.46 of 2025 arising out of C.R.No.266 of 2023 registered at Arnala Police Station, Mira-Bhayandar, Vasai-Virar, u/s 376(2)(n), 504, 506 of the Indian Penal Code. The proceedings are pending before the Sessions Court at Vasai.

2. Heard Mr. Ashley Cusher, learned Counsel for the Petitioner and Smt. M. M. Deshmukh, learned APP for the State.

3. The FIR is lodged by the Respondent No.2 on 31/07/2023. She has stated that she was working in a company at Malad in April 2023. At that time, she came in contact with the Petitioner. He was also working in the same company. They got acquainted. Their friendship grew. It is her case in the FIR that the Petitioner proposed marriage to her by making a phone call. She told him that she would take opinion of her family. On 28/05/2023, both of them went to a lodge and they occupied a room. At that time, they had their first physical relation. It was her case that again the Petitioner proposed marriage to her. They decided to inform his parents shortly. It is her case that the physical relations were against her wish. Similar incident was repeated on 02/06/2023. Even subsequently they had their physical relations in another lodge and a farmhouse. After a few days, she came to know that the Petitioner was on friendly terms with another lady. He refused to marry her. On this basis, the FIR is lodged.

4. The investigation was carried out and the charge-sheet is filed. The charge-sheet contains the investigation carried out

in respect of the various lodges where the informant and the Petitioner were meeting regularly.

5. Now the matter is settled between the parties. The Respondent No.2 has filed her affidavit-in-reply. In paragraph No.3 of her affidavit she has stated that her physical relationship with the Petitioner was with her consent and she was deep in love with the Petitioner. She has further stated that the Petitioner had never forced himself on her. She was an educated lady and after the intervention of friends, they have reached amicable settlement. She has recorded her no objection for quashing the FIR and the consequent Sessions Case No.46 of 2025, pending before the Additional Sessions Judge, Vasai.

6. The Respondent No.2 was interviewed by learned APP Mrs. Deshmukh in a free atmosphere. Learned APP informed the Court that it is a genuine wish of the informant that the proceedings are quashed. She had filed her affidavit without any force and coercion.

7. We have considered these submissions. The narration in the FIR itself shows that it was a consensual relationship. They were meeting regularly at different places and they had their physical relations regularly. The parties have settled the dispute. The Respondent No.2 has given her specific no objection for quashing of the proceedings. No purpose will be served in continuation of these proceedings particularly in the background that it was a consensual relationship. Therefore, we are inclined to allow this Petition.

8. Hence, the following order :

ORDER

- (i) The FIR registered vide C.R.No.266 of 2023 registered at Arnala Police Station, Mira-Bhayandar, Vasai-Virar, resulting in Sessions Case No.46 of 2025, pending before the Additional Sessions Judge, Vasai, are quashed and set aside.
- (ii) The Petition is disposed of.

(S. M. MODAK J.)

(SARANG V. KOTWAL, J.)