

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

CRIMINAL WRIT PETITION NO. 2354 OF 2025

Vajid Nasim Khan & Ors.

..Petitioners

Versus

The State of Maharashtra & Anr.

..Respondents

Mr. Prashant K. Aher a/w. Aryan Survase for Petitioners.

Ms. Sangeeta D. Shinde, APP for State/Respondent.

Ms. Mehjabeen Mukadam for the Respondent No.2.

**CORAM : SARANG V. KOTWAL &
SHYAM C. CHANDAK, JJ.**

DATE : 29 SEPTEMBER 2025

PC :

1. This is a petition for quashing of the proceedings in connection with Sessions Case No.166 of 2025 pending on the file of the Additional Sessions Judge, Thane, arising out of the C.R.No.329 of 2024, registered at Kashimira police station on 10.06.2024, under sections 376(2)(n), 354, 354-D, 506 r/w.34 of the I.P.C.

2. Heard Mr. Prashant Aher, learned counsel for the Petitioners, Ms. Sangeeta Shinde, learned APP for the State and

Ms. Mehjabeen Mukadam, learned counsel for the Respondent No.2.

3. It is not necessary to refer to the allegations in the F.I.R. or in the charge-sheet in detail, because the Respondent No.2 has settled the matter with the Petitioners and she does not want to proceed against the Petitioners.

4. The allegations in brief in the F.I.R. dated 10.06.2024 are that, she was residing with her elder sister between 2019 to 2023. The present Petitioner No.1 was staying nearby with his family. Both of them got acquainted. She has specifically stated that, they fell in love and from that relationship they developed physical relationship, as well. These physical relations started from July 2021. It is her case that, initially, she had resisted, but he had promised to marry her. After that, the Petitioner No.1 had sent his mother and elder sister with marriage proposal to the Respondent No.2's house. At that time, the Respondent No.2 was still studying and the Petitioner No.1 was not working anywhere. Therefore, both the families decided to defer their wedding. But in the

meantime, the Petitioner No.1 and the Respondent No.2 continued meeting each other and continued their physical relations; though, she has stated that it was against her wish. There is a reference to different lodges.

5. On 14.03.2022, they again had physical relations in the Petitioner No.1's house. On 30.07.2022, there was an incident when the Petitioner No.1's sister had beaten the Respondent No.2. At that time, the Respondent No.2 had lodged her N.C. complaint. She had complained to the Petitioner No.1, but he had ignored that grievance. After that, she stopped meeting the Petitioner No.1. In spite of that, the Petitioner No.1 was continuously trying to contact her and was trying to persuade her for the relationship.

6. On 02.06.2024, their common friend-Petitioner No.2 called her for a meeting. They went to a restaurant. The Petitioner No.2 tried to convince her to continue her relationship with the Petitioner No.1. At that time, the Petitioner No.3 also joined them and she also tried to persuade her to continue with their relationship. At about 8:30p.m. the Petitioner No.1 came to the

same restaurant, but the Respondent No.2 did not want to discuss anything with him. She left the restaurant. The Petitioner No.1 followed her and started quarreling with her. All of them forced her to sit in a car. The Petitioner No.1 threatened her to make their photographs and video clips viral. The Respondent No.2 got down from the car. The Petitioner No.2 dropped her to her house in a rickshaw. After that, with the help of her family members and with their support, she lodged her F.I.R. on 10.06.2024. The charge-sheet is filed. The main allegations are made by the Respondent No.2 in her F.I.R.

7. The Respondent No.2 has filed her Affidavit in reply, in which, she has stated that the matter is completely settled between the parties and she did not want to continue with the criminal proceedings and that she has filed this Affidavit out of her own free will. She has no objection for quashing of these proceedings.

8. Learned APP interacted with the Respondent No.2 in private. Learned APP informed the Court that the learned APP is convinced that the Affidavit is filed by the Respondent No.2's own

free will. There is no coercion involved. It is her genuine wish to close the prosecution.

9. Learned counsel for the Respondent No.2 submitted that, some protection be afforded to the Respondent No.2 if the proceedings are to be quashed, so that, there is no possibility of any legal proceedings against the Respondent No.2 with reference to the present proceedings.

10. We have considered this situation. Considering the submissions made before us and the interaction learned APP had with the Respondent No.2, we are inclined to allow this petition. No purpose would be served by continuing with the criminal prosecution.

11. Hence, the following order:

ORDER

- i) The proceedings in connection with the Sessions Case No.166 of 2025 pending on the file of the Additional Sessions Judge, Thane, arising out of the C.R.No.329 of 2024, registered at Kashimira

police station on 10.06.2024, under sections 376(2)(n), 354, 354-D, 506 r/w.34 of the I.P.C., are quashed and set aside. The parties shall not initiate the proceedings against each other in connection with C.R.No.329 of 2024 registered at Kashimira police station.

ii) The Petition is disposed of.

(SHYAM C. CHANDAK, J.)

(SARANG V. KOTWAL, J.)