

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****WRIT PETITION NO. 3361 OF 2025**

Mohammed Kadar Sayyed

... Petitioner

V/s.

The State of Maharashtra & Anr.

... Respondents

Mr. Afaf Shaikh for Petitioner.

Smt. Savita M. Yadav, A.P.P. for Respondent No.1-State.

Mr. Vishnu Wani for Respondent No.2.

**CORAM : A. S. GADKARI AND
RAJESH S. PATIL, JJ.****DATE : 22nd July 2025.****P.C. :**

1) Petitioner, an accused in PW/1233/2025, pending on the file of Judicial Magistrate First Class (Court No.12), Bandra, Mumbai, arising out of C.R.No. 478 of 2025, dated 28th March 2025, registered with Bandra Police Station, Mumbai, punishable under Sections 69 and 77 of the Bharatiya Nyaya Sanhita, 2023 and Section 66E of the Information Technology Act, 2000, has filed this Petition under Article 226 of the Constitution of India, for quashing of the said case with the consent of Respondent No.2, the victim.

2) Heard, Mr. Shaikh, learned Advocate for the Petitioner, Smt. Yadav, learned APP for Respondent No.1-State and Mr. Wani, learned Advocate for Respondent No.2. Perused record.

3) Record produced by learned APP indicates that, the Petitioner is a history sheeter and seven cases are pending against him at Bandra and BKC Police Stations in Mumbai. Perusal of First Information Report of the present case *prima facie* indicates that, the Petitioner systematically lured the Respondent No.2 and sexually exploited her by extending promise to marry with her. He also extended threat to cause serious injuries to her son, then aged about 9 years, and further sexually exploited her. According to us, a *prima facie* case is made out against the Petitioner for the offences alleged against him.

3.1) In view of the above facts, we are not inclined to quash the crime in question even by consent of Respondent No.2.

4) Petition is accordingly dismissed.

(RAJESH S. PATIL, J.)

(A.S. GADKARI, J.)