

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

CRIMINAL WRIT PETITION NO.4803 OF 2025

Harshad Shantilal Tank

.....Petitioner

Versus

The State of Maharashtra

and another

.....Respondents

Ms. Asha Joshi, Advocate a/w. Dilip Kamath, Sirajuddin Shaikh, Sagar D. Kamath, for the Petitioner.

Ms. Supriya Kak, APP for the Respondent No.1-State.

Ms. Kanchan Pawar, Advocate a/w. Suraj S. Ghogare for the Respondent No.2.

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

DATE : 17th SEPTEMBER, 2025

P.C. :

1. This is a Petition for quashing of the FIR registered vide C.R. No.832/2025 at Sahar Police Station, Mumbai on 24.7.2025 under Sections 75(2) and 77 of the Bharatiya Nyaya Sanhita, 2023.

2. The FIR is lodged by the Respondent No.2. She has stated in her FIR that she came in touch with the Petitioner through a Social Networking Application. Initially they

contacted each other telephonically. Then they meet each other and developed love relationship. The FIR mentions that on 29.11.2024 they had some physical relations in a hotel. After that they remained in touch telephonically but she realized that the Petitioner's nature was not compatible and, therefore, she broke-up with him. She further told him that she was to get married. After that, there was no conversation between them. On 26.6.2025, the Petitioner sent their video that had captured their intimate moments. He sent that video on the WhatsApp. The Respondent No.2 told him to delete that video but he demanded physical favours and pressurized her. In this situation, the Respondent No.2 lodged her FIR.

3. Subsequently she decided to forget the past and to give no objection for quashing of the FIR. She has filed her affidavit before the Court. She is identified by her learned counsel. She has stated in her affidavit that she is already engaged to get married with someone else. The family members of the Petitioner and her own family decided to settle the matter amicably. She has further stated that pendency of

this case would further give rise to misunderstanding between herself and her future husband. She wants to put an end to the entire episode.

4. Looking at the sensitive nature of the allegations, we have placed this matter for hearing in the Chambers in the presence of the learned APP and both the learned counsel for the parties. We interviewed the Respondent No.2. She insisted that the proceedings be quashed for her future life. As far as the objectionable video is concerned, she told the Court that she has ensured that the video is deleted by the Petitioner and she is satisfied that the video is not in existence any more. She earnestly submitted and urged before us that the FIR be quashed.

5. Considering this situation and in the interest of the Respondent No.2 in particular, we are inclined to allow this Petition. We are also taking into account the fact that the Respondent No.2 is satisfied that the objectionable video is not in existence anymore. In this situation, no purpose would be served by the continuation of the investigation and the possible

prosecution.

6. Hence, the following order:

:: O R D E R ::

- i. The C.R. No.832/2025 registered at Sahar Police Station, Mumbai and the further proceedings arising out of said FIR, are quashed and set aside.
- ii. The Petition is disposed of accordingly.

(SHYAM C. CHANDAK, J.)

(SARANG V. KOTWAL, J.)

Deshmane (PS)

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