

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

CRIMINAL WRIT PETITION NO. 5015 OF 2025

Sunil Namdev Zhende

..Petitioner

Versus

The State of Maharashtra & Anr.

..Respondents

Mr. Vijay Agale for Petitioner.

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

Ms. Manisha Gaikwad 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 F.I.R. registered vide the C.R.No.1202 of 2024 at Yavat police station, Pune Rural, Pune, for the offences punishable under sections 64(1), 308(2) and 351(2)(3) of the Bhartiya Nyaya Sanhita, 2023 (for short 'BNS'), resulting in Sessions Case No.133 of 2025 pending on the file of the Additional Sessions Judge, Baramati.

2. Heard Mr. Vijay Agale, learned counsel for the Petitioner, Ms. Sangeeta Shinde, learned APP for the State and Ms. Manisha Gaikwad, learned counsel for the Respondent No.2.

3. The F.I.R. is lodged by the Respondent No.2 herein against the Petitioner. It is not necessary to refer to the allegations in the F.I.R. as the parties have settled the matter and the Respondent No.2 has no objection for quashing of these proceedings.

4. Briefly stated, the allegations in the F.I.R. dated 10.12.2024 are that the Petitioner was having Acupressure Center and Ayurvedic Dispensary. He was a tenant of the Respondent No.2's relative. During her visits to that relative, she got acquainted with the petitioner. In July 2024, she had some medical issues and, therefore, she had gone to the petitioner's consulting room. Thereafter, there are allegations that on 21.08.2024 while examining her, he established physical relations with her by telling her that, he would instigate her husband against her on false allegations. He continued to pressurize her by threatening to disclose that incident to her other relatives. The F.I.R. thereafter mentions that the Respondent No.2 was taken to a lodge. Again the Petitioner established physical relations with her. There are further allegations that, he had taken her ornaments for financial

help and then had not returned them. On these allegations, the F.I.R. was lodged.

5. There are statements of the family members of the Respondent No.2. She was already married having three children. The Respondent No.2 now wants to settle the matter and she has no grievance against the Petitioner. She has filed her Affidavit mentioning that the complaint was filed due to temperamental differences with the Petitioner, but those differences are now amicably resolved. The dispute was of a personal nature. She has further stated that, she has received back her gold and there is no complaint in that behalf, as well. She has further stated that the dispute is settled amicably without any undue influence, coercion or pressure. She does not want to continue with the prosecution and she had no objection for allowing this petition.

6. Learned APP interacted with the Respondent No.2 in private. Learned APP submitted before the Court that, the learned APP was convinced that the Respondent No.2 genuinely wants to give no objection for quashing of the proceedings.

7. Considering this situation, no purpose would be served in continuing with the prosecution. From the allegations, there are indications that there was an element of consent. Therefore, in the interest of justice and in the interest of both the parties and their families, we are inclined to allow this petition.

8. Hence, the following order:

O R D E R

- i) The F.I.R. registered vide the C.R.No.1202 of 2024 at Yavat police station, Pune Rural, Pune, for the offences punishable under sections 64(1), 308(2) and 351(2)(3) of the Bhartiya Nyaya Sanhita, 2023 and the consequent proceedings i.e. Sessions Case No.133 of 2025 pending on the file of the Additional Sessions Judge, Baramati, are quashed and set aside.
- ii) The Petition is disposed of.

(SHYAM C. CHANDAK, J.)

(SARANG V. KOTWAL, J.)