

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

CRIMINAL WRIT PETITION NO.5261 OF 2025

Rohit Dnyaneshwar JadhavPetitioner
Versus
The State of Maharashtra
and anotherRespondents

Mr. Shubham Mishra, Advocate a/w. Vijay Upadhyay for the
Petitioner.

Ms.Dhanalaxmi Krishnaiyar, APP for Respondent No.1-State.

Mr. Pankaj Pandey, Advocate for the Respondent No.2.

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

DATE : 14th OCTOBER, 2025

P.C. :

1. Leave to amend to mask the identity of the
Respondent No.2 is granted. Amendment be carried out
forthwith.

2. This is a Petition for quashing of the FIR registered
vide C.R. No.299/2025 at Kalwa police station, Thane City on
6.4.2025 under sections 64, 69 and 85 of the BNS 2023 and

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the consequent proceedings arising therefrom.

3. Heard Mr. Shubham Mishra, learned counsel for the Petitioner, Ms.Dhanalaxmi Krishnaiyar, learned APP for Respondent No.1-State and Mr. Pankaj Pandey, learned counsel for the Respondent No.2.

4. The FIR is lodged by the Respondent No.2 against the Petitioner. It is not necessary to refer to the allegations in detail because the parties have settled their disputes and the Respondent No.2 has given her specific no objection for quashing of the proceedings. From the FIR itself there is a clear indication that it was a consensual physical relationship. Therefore, we are entertaining this Petition.

5. The allegations in the FIR, in short, are that in the year 2015 the Respondent no.2 came in contact with the Petitioner. He tried to keep in touch. In the year 2016, he told her that he was in love with her but she had refused his advances. She had blocked his number. Subsequently, the Petitioner tried calling her from different numbers. In the year

2019, he proposed marriage to her but she had refused again. It is her case that the Applicant collected information about her family. He threatened to cause harm to her family and on that threat, he established physical relations with her. It is her case that he had taken her to a particular lodge on three to four occasions. Ultimately, because of his threats, she was ready to get married with him. Accordingly, on 17.2.2022 they got married before the Registrar at Thane. The Petitioner's family was present at that time but her family was not present because she had not told anybody about this marriage. After the marriage, they stayed at their respective houses, but, they continued to have their physical relations in the same lodge. She used to visit his house on some occasion. It is her case that the Petitioner's family started passing insulting remarks against her. The Petitioner started demanding money from her. It is her case that she had given around Rs.75,000/- to him. The other members of his family also demanded money. It is her case that as she could not bring money, the Petitioner did not take her for cohabitation. Therefore, she lodged her FIR.

6. From the FIR itself it is clear that it was not false promise of marriage, but, the Petitioner had in fact got married with her. She herself had not told her own family about their marriage. Everybody from the Petitioner's family was aware of their marriage and, therefore, it was a clear case of consensual physical relationship. In this background the FIR was lodged.

7. Now the parties have settled their disputes. The Respondent No.2 has filed her affidavit giving no objection for quashing of the present FIR. The affidavit is affirmed before the Assistant Registrar of this Court.

8. Learned APP Mrs. Shinde interacted with the Respondent No.2. Learned APP submitted before the Court that the affidavit is filed by the Respondent No.2 voluntarily and that it is her genuine wish that the proceedings are quashed.

9. Considering the above discussion, we are of the opinion that no purpose would be served by continuing with the investigation and the possible trial. There was a clear

element of consent. The Respondent No.2 has given her no objection for quashing of the FIR. Therefore, we are inclined to allow this Petition.

10. Hence, the following order:

:: O R D E R ::

- i. The FIR registered vide C.R. No.299/2025 at Kalwa police station, Thane City and the consequent proceedings arising therefrom, are quashed and set aside.
- ii. The Petition is disposed of accordingly.

(SHYAM C. CHANDAK, J.)

(SARANG V. KOTWAL, J.)