

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

CRIMINAL WRIT PETITION NO.5948 OF 2025

Jaydeep Sujit Chaudhury <i>alias</i>	]	
Jaydeep Chaudhury,	]	
R/o. Andheri (West), Mumbai	]	.. Petitioner
<i>Versus</i>		
1. State of Maharashtra,	]	
Through Amboli Police Station	]	
2. XYZ / Original Complainant,	]	
R/o. Azad Nagar, Andheri, Mumbai	]	.. Respondents

Mr. Siddhesh Bhole with Ms. Maithili Jha, Advocates, i/by SSB Legal & Advisory, for the Petitioner.

Mrs. M.M. Deshmukh, In-Charge Public Prosecutor with Mrs. Mahalaxmi Ganapathy, Additional Public Prosecutor for Respondent No.1.

Smt. Bhakti Deshpande with Mr. Zoheb Merchant, Advocates for Respondent No.2.

Respondent No.2-Original Complainant is present in the Court through V.C.

**CORAM : SHREE CHANDRASHEKHAR, CJ. &
GAUTAM A. ANKHAD, J.**

DATE : 20TH NOVEMBER 2025.

[THROUGH HYBRID HEARING]

PER, GAUTAM A. ANKHAD, J.

The present Writ Petition is filed under Article 226 of the Constitution of India and section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.210 of 2015 dated 17th July 2015 and subsequent chargesheet dated 29th August 2016 filed in the proceedings in Sessions Case No.344 of 2023 pending before the Court of Sessions for Greater Bombay at Dindoshi, Goregaon.

2. An FIR was registered with the Amboli police station, Mumbai at the instance of the respondent no.2 on 17th July 2015 for the offences

punishable under sections 376, 354C and 506 of the Indian Penal Code, 1860. After the investigation was conducted, charge-sheet was filed in Case No.2402/PW/2016 before the learned Additional Chief Judicial Magistrate at Andheri, Mumbai. Since the offence is triable by the Sessions Court, the case was transferred to learned Sessions Court at Dindoshi, Goregaon and numbered as Sessions Case No.344 of 2023. The petitioner was granted bail by the learned Sessions Court, Greater Mumbai by orders dated 5th August 2015 and 11th August 2015.

3. The differences between the parties have now been settled. The respondent no.2 is present virtually and is identified by her learned counsel Smt. Deshpande. An affidavit dated 18th November 2025 is also tendered by Smt. Deshpande which records that the respondent no.2 has no objection to quashing of the said FIR. A copy of Aadhaar card of the respondent no.2 is also taken on record.

4. The Hon'ble Supreme Court in "*Madhukar v. State of Maharashtra*" 2025 SCC OnLine SC 1415 while dealing with an FIR under section 376 of the Indian Penal Code, 1860 has held that while ordinarily, quashing of proceedings involving such offences on the ground of settlement between the parties is discouraged and should not be permitted lightly, the inherent powers of the Court to secure the ends of justice is not constrained by a rigid formula and must be exercised with reference to the facts of each case. The parties have also amicably resolved their differences and arrived at a mutual understanding. The affidavit of the respondent no.2 records that the parties are now leading their own separate lives and that the respondent no.2 does not wish to prolong the litigation to avoid sustained trauma and harassment for either party. The respondent no.2 has unconditionally withdrawn all the allegations and is not willing to pursue her case. In these circumstances, the continuation of the trial would not serve any meaningful purpose. Thus, **Writ Petition No.5948 of 2025 is allowed** in terms of prayer clauses (a) and (b), which read as follows:

- “(a) That this Hon’ble Court be pleased to issue appropriate writ, order or direction calling for records and proceedings in FIR registered by Amboli Police Station u/s. 376, 354C and 506 of IPC and after satisfying itself about illegality and impropriety in filing and registration of the impugned FIR bearing No.210 of 2015 dated 17th July 2015 against the petitioner for the offences punishable under sections 376, 354-C and 506 of IPC be pleased to quash and set aside the impugned FIR bearing No.210 of 2015 dated 17th July 2015 by consent of respondent no.2.*
- (b) That this Hon’ble Court be pleased to issue appropriate writ, order or direction calling for records and proceedings in Sessions Case No.344 of 2023 pending in the Court of Sessions for Greater Bombay at Dindoshi, Goregaon u/s. 376, 377, 354C, 420 and 506 of IPC pursuant to the charge-sheet dated 29th August 2016 and after satisfying itself about illegality and impropriety be pleased to quash and set aside the charge-sheet dated 12th August 2016 and Sessions Case No.344 of 2023 by consent of respondent no.2.”*

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]