

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

CRIMINAL APPLICATION NO.415 OF 2025

Vijayanand Arunkumar NaragudeApplicant
Versus
The State of Maharashtra
and anotherRespondents

Mr. Anup Lahoti, Advocate a/w. Abhijit Doeifode for the
Applicant.
Ms. M.H. Mhatre, APP for the Respondent No.1-State.
Ms. Minal Chandnani, Advocate a/w. Naresh Shamnani and
Rajesh for the Respondent No.2.

**CORAM : SARANG V. KOTWAL &
S.M. MODAK, JJ.**

DATE : 17th APRIL, 2025

P.C. :

1. This is an Application for quashing of the proceedings arising out of C.R. No.1091/2024 registered with Wakad police station, District Pimpri Chinchwad for the offences punishable under Sections 64, 318(4) of Bharatiya Nyaya Sanhita, 2023 and the resultant Sessions Case No.98/2025 pending before the Sessions Court at Pune. A copy of the charge-sheet is not annexed to the Petition. It is tendered across the bar. It is taken on record. The parties have settled

the matter and a prayer is made for quashing of the proceedings by consent.

2. Heard Mr. Anup Lahoti, learned counsel for the Applicant, Ms. M.H. Mhatre, learned APP for the Respondent No.1-State and Ms. Minal Chandnani, learned counsel for the Respondent No.2.

3. The FIR is lodged by the Respondent No.2. She has stated that she had registered herself with a matrimonial site for the divorcees. Even the Applicant had registered himself. They got in touch through with the matrimonial site. The FIR thereafter goes on to refer to various instances where they had their physical relations at various places. The case of the Respondent No.2 is that on all these instances, the Applicant had promised to marry her. But subsequently she came to know that he was already married and he had a son. It is her case that when she came to know about it, the Applicant told her that he would obtain divorce from his wife and then marry her, but, it never happened and she lodged her FIR. There was physical relationship between July, 2020 to 18.9.2024.

4. The FIR mentions that on one occasion the Applicant had taken his mother and brother to the Respondent No.2's clinic for treatment. The Respondent No.2 was a doctor. The physical relationship was going on for quite some time. Even after she came to know that he was married, she did not immediately sever her relationship with him. From the FIR it appears that the physical relationship was consensual.

5. The parties have now settled their disputes. The Respondent No.2 has filed her affidavit. She has stated that she voluntarily desired to withdraw the present proceedings.

6. The Respondent No.2 was interviewed by the learned APP Mrs. Mhatre. Learned APP informed the Court that it was genuine wish of the Respondent No.2 that the proceedings are quashed. Learned counsel for the Respondent No.2 also submitted before us that the settlement is genuine and the Respondent No.2 genuinely wants that the proceedings against the Applicant be quashed.

7. Considering these submissions and the stand taken

by the Respondent No.2 and also considering that it was a personal relationship between two of them, the Application can be allowed.

8. Hence, the following order:

:: O R D E R ::

- i. The FIR being C.R. No.1091/2024 registered with Wakad police station, District Pimpri Chinchwad as well as the consequent proceedings being Sessions Case No.98/2025 pending before the Sessions Court at Pune, are quashed and set aside.
- ii. The Application is disposed of accordingly.

(S.M. MODAK, J.)

(SARANG V. KOTWAL, J.)

Deshmane (PS)

Digitally signed
by
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PRAKASHRAO
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2025.04.23
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