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

CRIMINAL APPLICATION NO.1016 OF 2025

Akhil Sasi Nair

... Applicant

Vs.

State of Maharashtra & Anr.

... Respondents

Mr. Rahul Shelke with Akshay Bansode for the Applicant.

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

Mr. Gulestan M. Dubash for the Respondent No.2.

Ms. Patricia Silva Michael, Respondent No.2 present in Court.

Mr. Raju Narawade, PI, Dadar police station present.

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

DATED : 26th SEPTEMBER, 2025

PC. :-

- 1) Leave to amend to mask the name of the Respondent No.2. The amendment be carried out forthwith.
- 2) This is an Application for quashing of the proceedings arising out of C.R. No.I-0178 of 2025 registered at Dadar police station on 29th April, 2025 under Sections 69, 351(2), 77 of the Bharatiya Nyaya Sanhita, 2023 and Section 66(E) of the Information and Technology Act, 2000.
- 3) Heard.
- 4) The FIR is lodged by the Respondent No.2. The investigation is over and the charge-sheet is already filed. The matter is settled between the parties and the prayer is made for quashing by consent. Therefore, it is

not necessary to refer to the allegations in detail.

5) Briefly stated, the allegations made in the FIR dated 29th April, 2025 are that the Respondent No.2 got in contact with the Petitioner in September 2015. They were in touch through Social Networking site. In October 2023, the Petitioner told the Respondent No.2 that he liked her and he wanted to marry her but she had refused, finally, she relented.

6) On 21st December, 2023 the Petitioner called her to his house and established physical relations on the pretext that they were to get married. After that, he met the Respondent No.2's parents. From February 2024, the Petitioner started residing with the Respondent No.2 in a live-in relationship with the permission of the Respondent No.2's parents. It is her case that he captured some objectionable videos and used to threaten to make them viral. She had helped him financially to the tune of Rs.4,00,000/- but finally he refused to marry her and therefore, she lodged this FIR. The charge-sheet contains statements of her parents, friend and the Applicant's friend. The Respondent No.2's parents and friend have supported her case.

7) After all this, the matter is settled between the parties. She has filed her affidavit in reply. She is present in the Court and is identified by her learned Counsel. She reiterated the contents of the affidavit. She told before the Court that she has no objection for quashing of this proceedings. She has stated in her affidavit that it was a love relationship and she had

given her free consent for the physical relationship. She fully understood the consequences of this kind of physical relationship and she chose to be in such relationship. She has given her specific no objection for quashing of the proceedings.

8) As can be seen, there is strong element of consent. She further added that she has no apprehension about the videos referred to hereinabove. She believed that the videos were deleted and she does not have any apprehension regarding the same any more.

9) Considering this situation and the stand taken by the Respondent No.2, the continuation of the criminal prosecution will not serve any purpose. Therefore, in the interest of justice and in the interest of the parties, we are inclined to allow this Application. Hence, the following order :-

:: ORDER ::

- (i) The proceedings arising out of C.R. No.I-0178 of 2025 registered at Dadar police station on 29th April, 2025 under Sections 69, 351(2), 77 of the Bharatiya Nyaya Sanhita, 2023 and Section 66(E) of the Information and Technology Act, 2000 are quashed and set aside.
- (ii) Criminal Application is disposed of accordingly.

(SHYAM C. CHANDAK, J.)

(SARANG V. KOTWAL, J.)