



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (APL) NO. 99 OF 2024

Akash Bebabrao Adhalage

.Vs.

State of Maharashtra, through P. S. O., PS Frezarpura, Amravati and another

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions Court's or Judge's orders.
and Registrar's Orders.

Mr Piyush Rewatkar, Adv. h/f. Mr. A. J. Mirza Advocate for the applicant
Ms Mayuri Deshpande, APP for the non-applicant No.1/State
Ms Poonam Moon, Advocate for the non-applicant No.2

CORAM : ANIL S. KILOR AND PRAVIN S. PATIL, JJ.
DATED : MAY 07, 2025.

At the outset learned counsel for the applicant seeks permission to amend the prayer clause thereby raising a challenge to the charge-sheet. Permission to carry out the amendment is granted.

2. The amendment be carried out forthwith.

3. The present application has been filed under Section 482 of the Code of Criminal Procedure ("Cr.P.C.", for short) for quashing the criminal proceeding bearing RCC No. 1805 of 2023 and the Charge-sheet No. 234 of 2023 arising out of the FIR No. 621 of 2023 for the offences punishable under Sections 376, 376(2)(n) and 506 of the Indian Penal Code registered with Police Station Frezarpura, District Amravati.

4. Learned counsel for the applicant and non-applicant No.2 make a joint statement that the matter has been settled and since the non-applicant No.2 got married she wants to live life happily and forget the past. She, therefore, does not want to prosecute the applicant.

5. Even though the matter has been settled between the parties, we have perused the contents of the FIR and we are of the opinion that even otherwise there was a consensual relations between the parties. In the circumstances, the acceptance of such settlement will help to unburden the pendency.

6. Furthermore, once the non-applicant No.2 decided not to prosecute the applicant, no fruitful purpose would be served even if the trial is conducted. In the circumstances, the application is **allowed**.

7. The criminal proceeding bearing RCC No. 1805 of 2023 and the Charge-sheet No. 234 of 2023 arising out of the FIR No. 621 of 2023 for the offences punishable under Sections 376, 376(2)(n) and 506 of the Indian Penal Code registered with Police Station Frezarpura, District Amravati is hereby quashed and set aside.

8. Pending applications, if any, also stands **disposed of**.

[PRAVIN S. PATIL, J]

[ANIL S. KILOR, J.]