

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

CRIMINAL WRIT PETITION NO. 4440 OF 2025

Jayshree Rajesh Chougule.. ... Petitioner.

V/s.

The State of Maharashtra & Anr. ... Respondents.

Mr. Vijaykumar Kamble, Advocate for Petitioner.

Mr. Prasanna Malshe, APP for Respondent/State.

Mr. Akash Ahire i/b. Mr. Ganesh Patil, Advocate for Respondent
No. 2.

PSI Dattatray R. Gharat, Pairavi Officer, Parksite Police Station.

CORAM : ASHWIN D. BHOBE, J.

DATE : 4th FEBRUARY, 2026.

P.C. :

1. Present petition under Article 226 of the Constitution of India and under section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, is preferred by the Petitioners for quashing of the FIR bearing No. 465 of 2017 for offence punishable under section 354, 354(B), 323, 504 read with 345 of Indian Penal Code

alongwith Section 8 and 12 of the Protection of Children from Sexual Offences Act, 2012 and Charge sheet bearing POCSO Special Case No. 100074 of 2018 pending before the Special Judge under POCSO Act Greater Mumbai 18th Court at Mumbai.

2. Petitioner is present in court along with her Advocate Mr. Vijaykumar Kamble. Photo identity card of the Petitioner is taken on record and marked “X” for identification.

3. Respondent No. 2 is present in court along with her Advocate Mr. Akash Ahire.

4. Mr. Vijaykumar Kamble and Mr. Akash Ahire submit that the only allegation against the Petitioner in the present crime was of the Petitioner having verbally abused the Respondent No. 2. They submit that the main allegations for charging the afore-referred offences were against Ritesh Rajesh Chougule (CCL), who was held to be guilty of commission of the crime by the Juvenile Justice Board, Dongari and thereafter released on probation of good conduct. Order dated 29.01.2018 passed by Principal

Magistrate, Juvenile Justice Board, Dongri, Mumbai is placed on record (at page 61 to 64 of the paperbook). They submit that Petitioner and the Respondent No.2 have settled the difference between them and the Respondent No. 2 has no objection for quashing the criminal proceedings.

5. Mr. Akash Ahire, Advocate for the Respondent No. 2 tenders affidavit dated 4th February, 2026 alongwith the photo identity card of the Respondent No. 2, which are taken on record and marked as “X-1” and “X-2”, respectively for identification. Respondent No. 2 who is present in the Court states that the affidavit (“X-1”) is filed out of her own free will and without any pressure from any person. She states that the contents of the Affidavit (“X-1”) are as per her say. She reiterates that the dispute between her and the Petitioner having been resolved, she has no objection for quashing of the FIR.

6. Mr. Prasanna Malshe, learned APP for the State confirms that the main allegations were against the CCL. He submits that no purpose would be served in continuing criminal

proceedings in view of the settlement between the parties and the statements made by the Respondent No. 2 in her affidavit ("X-1") . He however, insists for imposition of costs.

7. Mr. Vijaykumar Kamble and Mr. Akash Ahire on instructions from the Petitioner and the Respondent No. 2 submit that the parties would deposit an amount of Rs. 10000/- each, as costs.

8. Considering the above circumstances, the nature of allegations against the Petitioner, the Order dated 29.01.2018 passed by Principal Magistrate, Juvenile Justice Board, Dongri, the amicable settlement between parties, the statements made by the Respondent No. 2 in her Affidavit ("X-1") and having regards to the judicial pronouncements in the case of *Gian Singh v. State of Punjab*¹, *Narinder Singh & ors v. State of Madhya Pradesh*² and *Parbatbhai Aahir Alias Parbatbhai Bhimsinbhai Karmur and Others Vs. State of Gujarat*, there is no impediment for allowing this Petition.

1. (2012) 10 SCC 303.
2. 2025 SCC Online SC 466

9. This Petition is allowed in terms of prayer clause (a), subject to payment of cost of Rs. 20,000/-. Consequently, the FIR No. 465 of 2017 registered at Parksite Police Station, and charge-sheet bearing POCSO Special Case No. 100074 OF 2018 pending before the Special Judge under POCSO Act Greater Mumbai 18th Court at Mumbai.

10. Petitioner shall deposit Rs. 10,000/- in the below-mentioned bank account within a period of two week from today and file compliance affidavit alongwith proof of deposit of costs in the Registry of this Court, on or before 9th March, 2026.

**The High Court Employees Medical
Welfare Fund at Mumbai**

Account No.: 000120110001337

Bank : Bank of India

Branch : Mumbai Main

IFSC Code : BKID0000001

11. Respondent No. 2 shall deposit an amount of Rs.10,000/- in the below-mentioned bank account within a period of two week from today and file compliance affidavit alongwith proof of deposit of costs in the Registry of this Court, on or before

9th March, 2026.

Central Police Welfare Fund

Director General M.S. Mumbai.

Account No: 914010029005759

Bank : Axis Bank Limited

Branch : Worli, Mumbai (M.H.), Mumbai - 400 025

IFSC Code: UTIB00000060.

12. Writ Petition No. 4440 of 2025 is allowed in the above terms.

(ASHWIN D. BHOBE, J.)