

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

**CRIMINAL APPLICATION NO. 196 OF 2026**

Rohit Kisan Madane

...Applicant

Versus

The State of Maharashtra And Anr.

...Respondents

Mr. Ganesh Gole i/b Mr. Ateet Shirodkar, learned Advocate for the Applicant.

Applicant is present in the Court.

Mr. Tanveer G. Khan, learned A.P.P for the State/Respondent.

Mr. Arif Ali M. Ali, learned Advocate for Respondent No. 2.

Respondent No. 2 is present in the Court.

**CORAM : ASHWIN D. BHOBE, J.**

**DATE : 6<sup>th</sup> FEBRUARY 2026.**

**P.C. :**

1. Heard Mr. Ganesh Gole, learned Advocate for the Applicant, Mr. Tanveer Khan, learned A.P.P for the State/Respondent and Mr. Arif Ali, learned Advocate for Respondent No. 2.

2. This Criminal Application is preferred by the Applicant under Section 482 of the Code of Criminal Procedure, 1973 (under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023), for quashing of the First Information Report bearing No. 73 of 2024 dated 30.01.2024 registered with Ghatkopar Police Station, Mumbai for the offences punishable under Sections 376, 376(2)(n) & 506 of the Indian Penal Code, 1860 and the charge-sheet culminated in Sessions Case No. 846 of 2024 pending before the

learned Additional Sessions Judge at Greater Mumbai, arising out of the said FIR.

3. Applicant is present in the Court along with his Advocate Mr. Ganesh Gole. Mr. Ganesh Gole identifies the Applicant and tenders the photostat copy of his Aadhar Card as identity proof. Same are taken on record and marked as “X” for identification.

4. Respondent No. 2 is present along with her Advocate Mr. Arif Ali. Mr. Arif Ali tenders photostat copy of the Aadhar Card of Respondent No. 2 as identity proof. Same is taken on record and marked as “X-1” for identification.

5. Mr. Arif Ali tenders Affidavit dated 06.02.2026 affirmed by Respondent No. 2 before the Notary Advocate Mr. Harjit Singh Anand, Mumbai. Same is taken on record and marked as “X-2” for identification. Respondent No. 2, who is present in the Court, states that she has filed the said Affidavit dated 06.02.2026 (X-2) out of her own free will and without any pressure, force or coercion from any person. She states that the contents of Affidavit dated 06.02.2026 (X-2) are as per her say. She refers to paragraph nos. 5 to 12 of her Affidavit (X-2), which read as follows :-

*“5) I say that the FIR records that under the pretext of marriage, the applicant had established physical relation with me on several occasions at different places, but later the Applicant refused to marry with me, and threatened to viral the photos, the Applicant had taken Rs. 1,50,000/- from me. I say that since the matter is mutually settled between us, I am withdrawing my all allegations, made by me against the Applicant in the instant criminal case.*

6) *I say that, by passage of time, some differences cropped up in our relationship and the Applicant started keeping himself away from me. I felt discarded by the Applicant, and out of emotional outburst, I approached the police and registered the FIR against the Applicant.*

7) *I say that now I have cleared my chartered accountant examination and become profession in the field of accountancy. I say that I had a dream to become CA, and I have achieved my goal of life. I say that I have to concentrate on my profession, therefore, I have decided to forget my past and move on.*

8) *I say that, now both, the Applicant and I have moved on, in our respective life. I further say that, due to intervention of mutual friends and well-wishers all the dispute between me and the Applicant have been sorted out and settled amicably. Due to this we do not harbor any ill feeling towards each other and want to live and lead our individual life happily without interfering in each other's life.*

9) *I say that I am now started my life afresh having forgotten the past. The Applicant is also moved on in his life. Hence it is in the interest of both parties to not to continue this litigation.*

10) *I say that, in view of the aforesaid settlement, no prejudice would be caused to anyone if the instant FIR, charge sheet and criminal case arising out of the same is quashed and set aside.*

11) *I say that the Applicant and my-self have now settled the matter between us and agreed that we will not initiate any prosecution Civil or Criminal against each other whether for defamation or any other with respect to the present criminal case filed by me.*

12) *I say that I am giving the present consent to allow the captioned application out of my free will, and there is no pressure on me by any one for giving the present consent.”*

She reiterates that the dispute between her and the Applicant is amicably resolved, as such she gives No Objection for quashing of the criminal proceedings.

6. Mr. Ganesh Gole, learned Advocate for the Applicant and Mr. Arif Ali, learned Advocate for Respondent No. 2/Complainant relying on the Affidavit (X-2) filed by Respondent No. 2, submit that the criminal proceedings initiated at her instance, be quashed.

7. Mr. Tanveer Khan, learned A.P.P. for the State/Respondent submits that though the police machinery was put in action on the basis of the complaint filed by Respondent No. 2, however the parties having now resolved their dispute and in view of the statements made by Respondent No. 2 in the Affidavit (X-2), no purpose would be served by continuing with the criminal proceedings. He therefore submits that the impugned FIR and the criminal proceedings arising out of the said FIR can be quashed. He however insists for imposition of exemplary costs on the parties.

8. Mr. Ganesh Gole, learned Advocate for the Applicant on instructions from the Applicant, who is present in the Court states that appropriate cost would be paid.

9. Considering the facts as placed before me, the nature of dispute, the matter being amicably settled between the Applicant and Respondent No. 2, the statements made on oath by Respondent No. 2 (Affidavit at X-2) and her No Objection, having regards to the pronouncements of the Hon'ble Supreme Court in the cases of *Gian Singh v/s. The State of Punjab and Another*<sup>1</sup>,

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1. (2012)10 Supreme Court Cases 303.

*Narinder Singh and Others v/s. State of Punjab and Another*<sup>2</sup> and *Parbatbhai Aahir Alias Parbatbhai Bhimsinbhai Karmur and Others Vs. State of Gujarat and Anr.*<sup>3</sup>, there is no impediment in allowing this Criminal Application.

10. In view of the above, Criminal Application is allowed in terms of prayer clause (a) subject to payment of cost of Rs. 75,000/- by the Applicant as condition precedent. Consequently, the FIR bearing No. 73 of 2024 dated 30.01.2024 registered with Ghatkopar Police Station, Mumbai for the offences punishable under Sections 376, 376(2)(n) & 506 of the Indian Penal Code, 1860 and the subsequent charge-sheet culminated in Sessions Case No. 846 of 2024 pending before the Additional Sessions Judge at Greater Mumbai, arising out of the said FIR, are quashed. Criminal proceedings against the Applicant arising out of the impugned FIR and the charge-sheet are closed.

11. Applicant shall deposit cost of Rs. 75,000/- in the following account within a period of 2 weeks from today and furnish proof of deposit before the Registry of this Court by filing an Affidavit of compliance on or before 10.03.2026 :-

|                |   |                                                                 |
|----------------|---|-----------------------------------------------------------------|
| Bank Name      | : | Axis Bank Limited                                               |
| Branch Name    | : | Worli, Mumbai (M.H.), Mumbai-400 025                            |
| Account Name   | : | <b>Central Police Welfare Fund, Director General MS, Mumbai</b> |
| Account Number | : | 914010029005759                                                 |
| IFSC Code      | : | UTIB0000060                                                     |

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2. (2014)6 Supreme Court Cases 466.

3. (2017) 9 SCC 641.

12. Criminal Application No. 196 of 2026 is disposed of in the above said terms.

**[ASHWIN D. BHOBE, J.]**

GITALAXMI  
KRISHNA  
KOTAWADEKAR

Digitally signed  
by GITALAXMI  
KRISHNA  
KOTAWADEKAR  
Date:  
2026.02.13  
21:13:30 +0530