



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION(APL) NO. 908 OF 2025

Sanjay Ramchandra Dongre Vs. State of Maharashtra and anr.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr.Parth C.Malviya, counsel for the applicant.
Ms.M.A.Barabde, APP for the State.
Mr.Syed Salman Ali appointed counsel for non applicant
No.2.

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATE : 21/04/2026

1. The applicant has filed the present application seeking quashing of the charge-sheet dated 28.07.2023 bearing Charge-sheet No. 111 of 2023 for the offences punishable under Sections 376(2)(n), 452, 323, 504 and 506 of the Indian Penal Code, pending before the learned Judicial Magistrate First Class, Nagpur and stay to the Sessions Case No.356 of 2023 pending on the files of District Judge 4 and Additional Sessions Judge, Nagpur.

2. It is the case of the prosecution that the applicant and non-applicant No. 2 are neighbours. Both are married. It is alleged that on the date of the incident, when the husband of non-applicant No. 2 was not at home, the applicant

established forcible sexual relations with her, and on the next day also, similar acts took place. It is further alleged that the in-laws of the applicant found both of them together, pursuant to which the complaint came to be lodged and the crime was registered.

3. Learned counsel for non-applicant No. 2, who was appointed through the Legal Aid Panel, submits, upon instructions, that non-applicant No.2 is not willing to proceed with the matter. An affidavit to that effect has been placed on record. Non-applicant No.2 was personally present before the Court on 20.04.2026 along with her child and stated that she does not wish to prosecute the matter further and has no grievance against the applicant.

4. In view of the above and considering the stand taken by non-applicant No. 2 on affidavit, no useful purpose would be served by continuing the proceedings.

5. Hence, the charge-sheet dated 28.07.2023 bearing Charge-sheet No.111 of 2023 for the offence punishable under Sections 376(2)(n), 452, 323, 504 and 506 of the Indian Penal Code pending before the learned Judicial Magistrate First Class, Nagpur, and Sessions Case No. 356 of 2023 pending before the Court of District Judge-4 and Additional Sessions Judge, Nagpur, are hereby quashed and set aside, subject to the applicant depositing costs of Rs.10,000/- in the Public Welfare Account maintained with Union Bank of India, High Court Branch, Civil Lines, Nagpur

(Account No. 129712010001014, IFSC Code: UBIN0812978) and producing the receipt thereof on record within two weeks.

6. The application is allowed in the aforesaid terms and stands disposed of.

7. Fees of the learned counsel appointed for non-applicant No. 2 shall be paid by the Legal Services Sub-Committee, Nagpur, as per rules.

JUDGE