

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

**997 CRIMINAL APPLICATION NO.1017 OF 2023**

Muzammil S/o Ajimuddin Patel,  
Age : 25 years, Occu. Business,  
R/o : Magribi Compound, Jahagirdar Colony,  
Railway Station, Aurangabad .. Applicant

Versus

- 1] The State of Maharashtra  
Through : Police Inspector,  
Jinsi Police Station, Aurangabad
- 2] Afreen Khan W/o Ansar Khan,  
Age – 27 years, Occu : Household,  
R/o : Kaisar Colony,  
Opp. Choudhari Hall,  
Jinsi, Aurangabad .. Respondents

...  
Advocate for Applicant : Mr. Shaikh Kayyum Najir  
Addl. PP for the respondent – State : Mrs. M.A. Deshpande  
Advocate for the respondent no. 2 : Mr. Shaikh Abid R.  
...

**CORAM : MANGESH S. PATIL &  
ABHAY S. WAGHWASE, JJ.**

**DATE : 11 APRIL 2023**

**PC :**

Heard both the sides.

2. The applicant is seeking quashment of crime no. 58 of 2018 registered at the instance of the respondent no. 2 who is a woman aged 27 years for the offences punishable under section 354-D, 201 of the Indian Penal Code and section 66-C of the Information Technology Act with Jinsi Police Station, Aurangabad and

the subsequent chargesheet and criminal case bearing R.C.C. no. 2159 of 2018 pending before the learned Judicial Magistrate First Class, Aurangabad.

3. The respondent no. 2 has filed an affidavit in reply and has expressly consented for quashment.

4. Going by the allegations in the FIR about applicant having sent repeated messages and had indulged in indelcent chatting is being booked for the afore-mentioned offences. Now that the respondent no. 2 herself does not intend the prosecution to go on, any further steps in the trial would be an exercise in futility. No public policy is involved.

5. The application is allowed.

6. Crime no. 58 of 2018 for the offences punishable under section 354-D, 201 of the Indian Penal Code and section 66-C of the Information Technology Act registered with Jinsi Police Station, Aurangabad and the subsequent chargesheet and criminal case bearing R.C.C. no. 2159 of 2018 pending before learned Judicial Magistrate First Class, Aurangabad is quashed and set aside.

**[ ABHAY S. WAGHWASE ]**  
**JUDGE**

**[ MANGESH S. PATIL ]**  
**JUDGE**

arp/