

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Criminal) No(s). 25/2017

ASHU PARIHAR

Petitioner(s)

VERSUS

STATE OF MAHARASHTRA & ANR.

Respondent(s)

(IA No. 2857/2017 - STAY APPLICATION)

WITH W.P.(Cr1.) No. 26/2017 (IA No. 2899/2017 - EX-PARTE STAY)

Date : 24-01-2020 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL

HON'BLE MR. JUSTICE K.M. JOSEPH

For Petitioner(s)	Mr. Sundeep Srivastava, Adv. Mr. Braj Kishore Mishra, AOR Ms. Aparna Jha, Adv.
For Respondent(s) No.2	Ms. Firdouse Qutb Wani, AOR Mr. Zaryub J. Rizvi, Adv.
For State of WB	Mr. Suhaan Mukerji, Adv. Mr. Vishal Prasad, Adv. Mr. Amit Verma, Adv. Mr. Abhishek Manchanda, Adv. Ms. Kajal Dalal, Adv. For M/S. PLR Chambers and Co., AOR
For State of Maharashtra	Mr. Sachin Patil, AOR Mr. Rahul Chitnis, Adv. Mr. Aaditya A. Pande, Adv. Mr. Geo Joseph, Adv. Mr. Chanchal Kumar Ganguli, AOR

UPON hearing the counsel the Court made the following
O R D E R

1. Heard learned counsel for the applicant/respondent
- No.2.

2. Application for discharge of the Advocate-on-Record on behalf of respondent No.2 is allowed. Learned counsel for the complainant-respondent No.2 has been discharged on the ground that the said complainant has not got in touch with her despite her best endeavour.

3. The respondent-State of Maharashtra has filed an affidavit stating that though they were able to contact the complainant through phone but subsequently, despite their best endeavours, the person is not forthcoming.

4. Learned counsel for the respondent-State of West Bengal submits that this aspect has been verified about the complainant's interest in the matters and instructions have been obtained that the complainant has forgiven the petitioner and does not want to pursue the complaint. The relevant document in this regard has been placed on record in this Court.

5. We have already noticed that the writ petition was filed for transfer of investigation but prayer was extended by learned counsel for the petitioner to quash the proceedings in view of the subsequent development.

6. On hearing learned counsel for the parties, we quash the proceedings with a caution to the petitioner that there should be no future occasion for such conduct and she must maintain civil behaviour as is expected in a democratic country like ours.

7. Learned counsel for the petitioner states that the petitioner has reformed herself and assures this Court that there will be no repeat of what has transpired.

8. The writ petitions are allowed in terms aforesaid.

9. Pending applications shall also stand disposed of.

(ANITA MALHOTRA)
COURT MASTER

(ANITA RANI AHUJA)
COURT MASTER