

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

- Dr. Abinav Chandrachud i/by Premkumar Pandey for the Applicants.
- Mr. J.P. Yagnik, APP, for the Respondent – State.
- Mr. Sanrish Shetye i/by Khushboo Pathak for Respondent No. 2.

CORAM : PRASANNA B. VARALE &
S. M. MODAK, JJ.

DATE : MARCH 22, 2022.

PER COURT :

1. At the outset, learned Counsel appearing for Respondent No. 2 submitted that '*Vakalatnama*' is remained to be filed in the Registry. Learned Counsel for Respondent No. 2 is permitted to file his '*Vakalatnama*' in the Registry within one week from today.

2. For the reasons recorded separately, Criminal Application is allowed in terms of prayer clause '*i*' subject to condition that the Applicant to extend

social services on every fortnight i.e., on every 2nd and 4th Saturdays of each month for a period of 6 months from today at **Baal Welfare Children Trust**, No. 93, Sai Kripa Building Opp. Marathi Municipal School, Ghatla Village Road, Chembur -71 and the Respondent No. 2 to also extend social services on every fortnight i.e., on every 2nd and 4th Saturdays of each month for a period of 6 months from today at **Maru Ghal**, 27/28, Hariom Niwas, Dr. Babasaheb Ambedkar Road, Gorai - 1, Borivali (W). 400 092.

3. The Applicant and Respondent No. 2 shall report to the Head of the respective institutions with a copy of this order. The Investigating Officer shall forward a copy of this order to the respective institutions. The Head of the respective institutions shall allocate appropriate works/services to the Applicant and Respondent No. 2 in their respective institutions, which will be performed/rendered by the Applicant and Respondent No. 2 as part of community service.

4. The Applicant and Respondent No. 2 shall obtain certificates from the respective institutes of

having rendered community service satisfactorily for the period of six months and place the same on the record of this Criminal Application. The quashment of FIR is subject to Applicant and Respondent No. 2 producing the certificates from the concerned institutions and placing the same on the record of this Court within 9 months from today. Failing to do so, the order quashing FIR shall stand recalled automatically and application shall stand dismissed automatically without further reference to the Court and order quashing the FIR shall be treated as *non-est*.

(S. M. MODAK, J.)

(PRASANNA B. VARALE, J.)