

Anand

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

WRIT PETITION NO. 2472 OF 2018

Mohd. Asharaf S/o. Mumtaz Ali Qureshi & anr. .Petitioners

Vs.

The State of Maharashtra & anr. .Respondents

Mr. S. Upadhyay & Mr. A. A. Singh i/b. Mr. A. M. Saraogi,
Advocate, for the Petitioners

Mrs. A. S. Pai, APP, for the Respondent No. 1 – State

Mr. P. H. Jaggi, Advocate, for the Respondent No. 2

Mr. Shahrukh Qureshi present in person

**CORAM : B. P. DHARMADHIKARI &
REVATI MOHITE DERE, JJ.**

DATE : 26.02.2019

P.C.

. Petitioner and Respondent No. 2 are jointly requesting for quashing of FIR. Learned APP has invited our attention to the fact that FIR is under Sections 376, 498A, 504, 506 & 34 of the Indian Penal Code. She has also pointed out that allegations pertaining to Section 376 are against father-in-law.

2. Respondent No. 2 – Complainant has tendered Affidavit. She has explained that police complaint was filed as

advised by NGO. She could not when questioned orally disclose names of NGO. She has in Affidavit submitted that she approached that NGO for settling matrimonial dispute.

3. Petitioners before this Court are father-in-law and mother-in-law of Respondent No. 2. They have disposed of the house property in which they were residing together with their son and Respondent No. 2. 50% of the sale proceeds are made over to son for purchasing a separate house, where he would reside with Respondent No. 2.

4. Their son – Shahrukh Qureshi is present in Court. He and Respondent No. 2 state that they are residing presently in tenanted premises together.

5. In view of this situation and steps taken by Petitioners in the matter, though, learned APP has raised some objections, as nothing fruitful would come out of litigation, we are inclined to intervene in extra ordinary jurisdiction.

6. Accordingly, FIR No. 112 of 2018 and consequential Charge-sheet are quashed and set aside.

(REVATI MOHITE DERE, J.)

(B. P. DHARMADHIKARI, J.)