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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 125 OF 2024**

Karan Rajkumar Jodhani

....Petitioner

V/s.

The State of Maharashtra and Anr.

...Respondents

Ms. Prerna Gandhi a/w Mr. Anish Shahapurkar for Petitioner.

Mr. Ajay Patil, APP for State.

Ms. Richa Pandey for Respondent No.2.

**CORAM : SARANG V. KOTWAL &
DR. NEELA GOKHALE, JJ.**

DATED : 14th OCTOBER 2024

P.C. :

1. This Petition is filed for quashing of the FIR and further proceedings arising out of C.R No. 541 of 2023 registered at Parksite Police Station dated 30th August 2023 under Section 323, 406, 417, 498A, 504 and 506 of the Indian Penal Code, 1860 (the IPC).

2. Heard learned counsel for the Petitioner, learned APP for the State and learned counsel for the Respondent No.2.

3. The FIR is lodged by the Respondent No.2. She was married to the Petitioner on 16th July 2021. She has stated in her FIR that both the families had spent equally during the wedding. However, her mother had given her ornaments and jewelry. After the marriage the Respondent No.2 started residing with the Petitioner and his parents. The FIR thereafter goes on to mention that the Petitioner had demanded money from time to time and that he was harassing her. The FIR also refers to some obscene objectionable messages which she saw on the Petitioner's laptop. There are

further allegations about their physical relations which were not normal. On these allegations the FIR is lodged.

4. Now, the matter is settled between the parties. The Respondent No.2 has filed her affidavit. She has specifically stated that she had filed a divorce petition bearing Petition No. 1384 of 2023 at Family Court, Bandra. In that Petition the Consent Term was filed on 6th September 2024. Respondent No.2 had agreed to withdraw the D.V. Case No. 65/DV/2023 pending before the learned JMFC, Vikhroli Magistrate Court. In Paragraph No.6 she has stated that she had agreed not to pursue the present offence registered vide C.R. No. 541 of 2023 at Parksite Police Station. She has mentioned her willingness for quashing of the FIR. Her specific prayer is for allowing the present Writ Petition and for quashing of the FIR. The nature of the allegations are strictly between the two individuals. They have settled the matter. In the interest of both the parties and with a view that they can live their future life unhindered by the present prosecution, we are inclined to allow this petition. Hence, the following order.

ORDER

1. The FIR registered at Parksite Police Station vide C.R. No. 541 of 2023 and the consequent proceedings are quashed and set aside.
2. Petition is disposed of.

(DR. NEELA GOKHALE, J.)

(SARANG V. KOTWAL, J.)