

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1326 OF 2024

Ajinkya Vinod Deshmukh and Ors.Petitioners

Vs.

The State of Maharashtra & Anr.Respondents

Mr. Ashish Dubey a/w Ms. Ankita Upadhyay and Mr. Madan M. Mishra, for Petitioners.

Mr. Sukanta A. Karmarkar, APP for Respondent No.1-State

Mr. Rajat Yadav with Gayatri Gupta, for Respondent No.2

CORAM : SARANG V. KOTWAL AND

DR. NEELA GOKHALE, JJ.

DATE : 19th DECEMBER 2024.

P.C.:-

1. The Petitioners seeks quashing of the Criminal Proceedings No.PW/4956/2023 pending before the Judicial Magistrate First Class, 24th Court Borivali, Mumbai arising out of the F.I.R. No.955 of 2022 dated 12th November 2022 registered with Charkop Police Station, Brihanmumbai City for the offences punishable under sections 498-A, 420, 406, 377 and 323 of the Indian Penal Code, 1860.

2. The Petitioner No.1 is the husband of Respondent No.2, Petitioner No.2 and 3 are her parents-in-law and the Petitioner No.4 is

her sister-in-law.

3. The Respondent No.2-first informant has stated in the F.I.R. that she married the Petitioner No.1 on 13th October 2019. Thereafter, they started residing together at Mumbai along with other Petitioners. She has alleged that from the beginning of the marriage the Petitioner No.1 and his relatives started demanding that she should bring money from her parents. They used to taunt her regarding her family members and used to take away the money that she had earned from her salary.

4. She has also alleged that it was revealed after the marriage that the Petitioner No.1 had a relationship with another lady and he also had several relationships prior to the marriage. She states that she was abused and ill-treated by the Petitioner No.1 and his relatives. She finally states that the Petitioners had taken away her jewellery, furniture, cosmetics, etc., and had not returned the same.

5. This led to a marital discord between the parties leading to the registration of the impugned F.I.R. The investigation is completed and the charge-sheet has been filed. There is a statement of Respondent No.2's father which corroborates the allegations made by her in the F.I.R.

6. During the pendency of the criminal proceedings, the parties have decided to settle the matter amicably. She has filed an affidavit dated 19th December 2024 duly affirmed before the Assistant Registrar of the Appellate Side of this High Court. In paragraph No.3, she has given no objection for quashing of the criminal proceedings and the F.I.R giving rise to the same. The Respondent No.2 is present in court today and identified by her counsel. She has reiterated the averments made by her in the affidavit.

6. Considering that the Respondent No.2 has no objection in quashing and setting aside the impugned F.I.R and criminal proceedings and also that the dispute between the parties is purely personal in nature. We have no hesitation in quashing the F.I.R and criminal proceedings. Hence, the following orders:

ORDER

1. The Criminal Proceedings No. PW/4956/2023 pending before the Judicial Magistrate First Class, 24th Court Borivali and F.I.R. bearing No.955 of 2022 dated 12th November 2022 registered with Charkop Police Station, Brihanmumbai City is quashed and set aside.
2. The Petition is disposed of accordingly.

(DR. NEELA GOKHALE, J.)

(SARANG V. KOTWAL, J.)