

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

CRIMINAL WRIT PETITION NO. 1717 OF 2024

Vimal Vasudev Huse & Anr.

..Petitioners

Versus

Priya Gajanan Huse & Anr.

..Respondents

Ms. Divya Parab a/w. Rahul S. Kulkarni (appeared through V.C.)
for Petitioners.

Mr. Rajesh More for Respondent No.1.

Smt. M. H. Mhatre, APP for State/Respondent.

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

DATE : 23 OCTOBER 2024

PC :

1. This is a writ petition for quashing of the F.I.R. registered vide the C.R.No.15 of 2022 at Faraskhana police station, on 29.01.2022, under sections 498-A, 323, 504 and 506 of the I.P.C. and resultant R.C.C. No.2871 of 2022 pending before the J.M.F.C., Pune.

2. Heard Ms. Divya Parab, learned counsel for the petitioners, Mr. Rajesh More, learned counsel for the Respondent No.1 and Smt. Mhatre, learned APP for the State.

3. The F.I.R. is lodged by the Respondent No.1 herein who is the first informant. The F.I.R. is lodged against the petitioners who are mother in law and sister in law of the first informant. She has stated that, she got married with her husband Gajanan in the year 2007. The informant was staying with her husband Gajanan and his father Vasudev (since deceased). Both the petitioners were staying at Akola. The F.I.R. goes on to mention that whenever the petitioners used to visit Mumbai, there used to be quarrels between the petitioners and the first informant. There are allegations that the Petitioner No.2 used to threaten her of causing bodily injuries. There are allegations that they used to cause harm to the informant's daughter as well. They used to instigate husband of the informant to give divorce to the informant. In the year 2011, the informant and her daughter went to Pune to reside for the purpose of education of her daughter. They were there for about three years. Even then the petitioners used to visit them and used to cause harassment. On some occasions they even assaulted the informant and tried to cause harm with scissors. On these allegations the F.I.R. was lodged.

4. The charge-sheet is already filed. The charge-sheet contains statements of her father, brother, sister in law and the other relative of the informant. Those statement basically support the allegations. However, the main allegations are made by the informant herself through her personal knowledge. In the meantime, there were matrimonial proceedings between the informant and her husband in the nature of restitution of conjugal rights and also of divorce. Those proceedings have culminated by amicable settlement and the informant and her husband are now residing together. In this background, the matter is now settled between the informant and the present petitioners, as well.

5. The informant-Respondent No.2 has filed her affidavit giving consent for quashing of these proceedings. She has categorically stated in the affidavit that she was agreeing to withdraw all the allegations in the registered F.I.R. and that she has also prayed for quashing of the said F.I.R. and the resultant criminal case. The Respondent No.2 is present in the Court. She is identified by her counsel. She firmly stated before the court that the matter is settled between the parties and she does not wish to

prosecute the petitioners any longer. She prayed that the F.I.R. and the case pending against the petitioners be quashed.

6. The dispute between the parties is purely personal in nature. The informant and her husband are staying together. They are staying separately from the petitioners at Pune. The petitioners are staying at Akola. In this background, we are inclined to allow this petition.

7. Hence, the following order:

O R D E R

- i) The F.I.R. registered vide the C.R.No.15 of 2022 at Faraskhana police station, on 29.01.2022, under sections 498-A, 323, 504 and 506 of the I.P.C. and the resultant R.C.C. No.2871 of 2022 pending before the J.M.F.C., Pune, are quashed and set aside.
- ii) The Writ Petition is disposed of.

(DR. NEELA GOKHALE, J.)

(SARANG V. KOTWAL, J.)