

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

CRIMINAL WRIT PETITION NO.1292 OF 2024

Mayur Narahari Shelke & Ors. Petitioners

versus

The State of Maharashtra & Anr. Respondents

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- Mr. Karni Singh i/b. Shinde and Co., Advocate for Petitioners.
- Mr. Ashish Satpute, APP for the State/Respondent.
- Ms. Rachana Karad a/w Mekhala More i/b. The Juris Partners, Advocate for Respondent No.2.

**CORAM : SARANG V. KOTWAL &
DR. NEELA GOKHALE, JJ.**
DATE : 17th OCTOBER, 2024

P.C. :

1. Leave to amend the prayer to include the charge-sheet number and the date and corresponding pleadings in the Petition if necessary. The amendment to be carried out forthwith.

2. The Petitioners seek to quash and set aside the FIR No.26/2024 dated 10/01/2024 registered with Wadala Truck Terminal Police Station, Mumbai, for offences punishable u/s

498-A, 406 of the Indian Penal Code and the charge-sheet culminating therefrom.

3. Heard Mr. Karni Singh, learned Counsel for the Petitioners, Ms. Rachana Karad, learned counsel for the Respondent No.2 and Mr. Ashish Satpute, learned APP for the State.

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

5. The Respondent No.2 has alleged in the FIR that she married the Petitioner No.1 on 24/12/2021 at Pune. According to her, from the beginning of the marriage, the Petitioners treated her with cruelty and continuously taunted her saying that she was not auspicious for their family. It is also alleged that her father had given her Rs.7,50,000/-, 135 grams of gold and approximately Rs.1,50,000/- were given for household articles. She had also given an amount of Rs.7 lakhs to the Petitioner No.1 to take a flat. According to her, the Petitioners had retained

the entire Stridhan and the amount and not returned anything to her. She says that because of the cruelty and the ill-treatment meted out to her, there was marital discord leading to the filing of the present FIR. Now the Petitioners have decided to settle the matter amicably. She has filed an affidavit dated 20/09/2024 duly notarized before a notary public. In paragraph No.7 she has given her consent for quashing the FIR and setting aside the impugned FIR and the charge-sheet. Through her counsel she reiterates the averments made in the affidavit.

6. Considering the nature of the dispute and that there is marital discord between the parties, which they have decided to resolve, we are inclined to quash and set aside the FIR No.26/2024 culminating into the charge-sheet bearing C.C.No.2900754/2024, at 29th J.M.F.C. Bhoiwada Court, Dadar. The Petition is accordingly allowed. The FIR and the charge-sheet is set aside.

(DR. NEELA GOKHALE, J.)

(SARANG V. KOTWAL, J.)