

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO.1950 OF 2024**

Sagar Mahendra Nirbhavne & Ors.

.....Petitioners

Vs.

The State Of Maharashtra & Anr.

.....Respondents

Mr. Dishant Chitalia, with Ms. Dimple Joshi, for the Petitioners.

Mr. Vinod Chate, APP for Respondent No.1-State.

Mr. Kartik Gantha (appeared through V/C), with Adv. Preksha Varma
i/b Mr. Omkar Khanvilkar Law Chambers for Respondent No.2.**CORAM : SARANG V. KOTWAL AND****DR. NEELA GOKHALE, JJ.****DATE : 14th NOVEMBER 2024.****P.C.:-**

1) This Petition is filed for quashing of the offences registered vide C.R.No. 297 of 2023 at Versova Police Station, Mumbai resulting in Charge-Sheet No. 4448/PW/2023 under Sections 498-A read with 34 of the Indian Penal Code, 1860 ('IPC'). The FIR is lodged by the Respondent No.2 ('Informant'). The Petitioner No. 1 is her husband and the other two Petitioners are his parents. The FIR mentions that the informant got married with Petitioner No.1 on 16th November 2014. After marriage, she started residing with the Petitioners at her matrimonial house. Slowly, the Petitioner No.1 started ignoring her and started quarreling with her frequently. He informed the Informant

that he was having a love relationship with another lady. Her mother-in-law also used to taunt her. On one occasion, the Petitioners beat her and threw her out of the house in the night. She took shelter at her mother's house. After one and half year, Petitioner No.1 came to her mother's house and took her back. Both of them then booked a house in Thane in the year 2022. Petitioner No.1 went to UK for a job. The informant also went there in November 2022. She worked there for sometime. In March 2023, her husband's woman friend called her telephonically and told her that she was in a relationship with the Petitioner No.1 and the Informant should give divorce to him. On this basis, there was a quarrel between the Petitioner No.1 and the Informant. The other Petitioners also sided with the Petitioner No.1. The Informant was forcibly sent back to Mumbai in April 2023. After that the Informant lodged her FIR. Investigation was carried out and charge-sheet is filed. The charge-sheet contains statements of maternal uncle of the Informant, mother and brother of the Informant. All these statements support the case of the Informant in the FIR. Both the learned counsel submit that the matrimonial proceeding for divorce is pending before the Family Court at Bandra, Mumbai. During the pendency of these proceedings, parties have

settled their disputes. Respondent No.2/Informant is present in the Court. She is identified by her counsel. She has filed her Affidavit-cum-Undertaking. She has stated before the Court that she has no objection for quashing of the present criminal proceedings. She does not wish to prosecute the Petitioners before any civil or criminal Court. She does not wish the police authorities to investigate the matter and that she does not wish the Petitioners to face any criminal or civil consequences as they have arrived at an understanding.

2) Since the dispute between the parties is purely personal in nature and since the parties have decided to move ahead in life, in the interest of justice, we are inclined to allow this Petition by quashing the present proceeding. Hence, the following order:

ORDER

(i) FIR registered vide C.R.No. 297 of 2023 at Versova Police Station, Mumbai resulting in Charge-Sheet No. 4448/PW/2023 are quashed and set aside.

3) Petition disposed of.

(DR. NEELA GOKHALE, J.)

(SARANG V. KOTWAL, J.)