

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

CRIMINAL WRIT PETITION NO.3117 OF 2024

Rahul Balkrishna More & Ors.

.... Petitioners

versus

The State of Maharashtra & Anr.

.... Respondents

.....

- Mr. Karim Pathan a/w Shane Illani Turkey, Advocate for Petitioners.
- Mr. Sukanta Karmarkar, APP for the State/Respondent.
- Mr. Pravin P. Mengane, Advocate for Respondent No.2.

**CORAM : SARANG V. KOTWAL &
DR. NEELA GOKHALE, JJ.
DATE : 20th DECEMBER, 2024**

P.C. :

1. The Petitioners are seeking quashing of the FIR No.658/2022 dated 18/11/2022 registered at Bhandup Police Station, Mumbai, for the offences punishable u/s 498-A r/w 34 of the Indian Penal Code.
2. Heard Mr. Karim Pathan, learned Counsel for the Petitioners, Mr. Pravin P. Mengane, learned counsel for the Respondent No.2 and Mr. Sukanta Karmarkar, learned APP for the State.

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3. The Petitioner No.1 is the husband of the Respondent No.2/first informant. The Petitioner Nos.2, 3 and 4 are her in-laws.

4. The case of the Respondent No.2 is that she married the Petitioner No.1 on 04/06/2021 as per the Hindi rituals and ceremony. After the marriage she started residing at her matrimonial home with the Petitioner No.1 and his relatives. It is her allegation in the FIR that her mother-in-law deprived her and her husband of privacy and refused to allow them space to have conjugal relations. It is her say that her mother-in-law insisted that the Respondent No.2 should give her salary in the house and her mother-in-law was extremely angry with the when the Respondent No.2 paid fees of her sister from her own salary. She has also alleged in the FIR that she was treated with cruelty. The Petitioners demanded that she should get gold ornaments from her parents and since she was unable to do so, they used to taunt and illtreat her. On these and other grounds, she has filed the impugned FIR.

5. The investigation is complete and the charge-sheet is filed. The cousin, mother and her brother-in-law have given statements to the parents which corroborated her allegations made by her in the FIR.
6. During the pendency of the criminal proceedings the parties have settled the matter amicably and have decided to take divorce by mutual consent. Accordingly, the consent terms are filed before the Family Court at Bandra. The Respondent No.2 appeared through Video Conferencing and her counsel has identified her. She has filed an affidavit dated 20/12/2024 duly affirmed before a Notary Public. In paragraph No.3 of the affidavit she has given her no objection for quashing of the FIR and criminal proceeding culminating therefrom.
7. Considering that the Respondent No.2 is not inclined to continue the prosecution and in fact she has no objection to quash the same, in the interest of parties, the criminal proceeding are quashed and set aside.

8. Hence, the following order :

ORDER

- (i) The FIR registered vide C.R.No.658/2022 dated 18/11/2022 registered at Bhandup Police Station, Mumbai and the further proceedings arising out of the said FIR are quashed and set aside.
- (ii) The Petition is disposed of.

(DR. NEELA GOKHALE, J.)

(SARANG V. KOTWAL, J.)