

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

CRIMINAL WRIT PETITION NO.3212 OF 2024

Mahesh Kumar Bansidhar Rathi
and others

.....Petitioners

Versus

The State of Maharashtra
and another

.....Respondents

Ms. Garima Tiwai, Advocate i/b. Sarika Molla for the Petitioners.

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

Mr. Prashant Pandey, Advocate a/w. Tarun Sharma, Mahesh Patil
for the Respondent No.2.

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

DATE : 10th DECEMBER, 2024

PC. :

1. The Petitioners seek to quash the criminal proceedings bearing R.C.C. No.2724/2023 pending before the Chief Judicial Magistrate, Thane arising from the FIR No.460/2017 dated 25.12.2017 registered with Navghar Police Station, Thane Rural for the offences punishable under Sections 498-A, 406, 323, 504, 506 read with 34 of IPC.

2. The Petitioner No.2 is the husband of the Respondent No.2 and the Petitioner Nos.1 and 3 to 13 are his relatives. The

Respondent No.2 has alleged in the FIR that they were married on 19.1.2013 as per their customary rites and ceremonies. At the time of marriage, her parents had given her valuable ornaments and other household articles. She has detailed the items given by her parents showing the value of the same in the FIR. She has alleged that the Petitioners used to pick up quarrels with her on trivial matters and used to abuse her. She was treated with physical and mental cruelty and due to this ill-treatment she was constrained to lodge the present FIR.

3. The investigation was completed and the charge-sheet came to be filed.

4. During pendency of the proceedings, the parties decided to settle the matter amicably. The Respondent No.2 is present in the Court and is identified by her counsel. Pursuant to amicable settlement between the parties, an affidavit is filed by the Respondent No.2 in these proceedings. The affidavit is dated 3.7.2024 duly affirmed before the Assistant Registrar, Appellate Side, of this Court. In paragraph No.7 of the said affidavit, the Respondent No.2 has given her no objection to quash the present

proceedings. She has also stated that she has received the one time settlement amount in pursuance of the MOU dated 1.7.2024 executed by and between the parties.

5. In view of the fact that the parties have amicably settled the matter and the Respondent No.2 has given her no objection to quash and set aside the criminal proceedings and further that the dispute between the parties is purely of personal nature, we are inclined to quash the FIR and the criminal proceedings arising therefrom.

6. Hence, the following order:

:: O R D E R ::

- i. The FIR No.460/2017 dated 25.12.2017 registered with Navghar Police Station, Thane Rural and the criminal proceedings arising therefrom being R.C.C. No.2724/2023 pending before the Chief Judicial Magistrate, Thane, are quashed and set aside.
- ii. The Petition is disposed of accordingly.

(DR.NEELA GOKHALE, J.)

(SARANG V. KOTWAL, J.)