

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

CRIMINAL WRIT PETITION NO. 3217 OF 2024

Ajay Amritlal Gupta & Ors.

..Petitioners

Versus

The State of Maharashtra & Ors.

..Respondents

Mr. Bhagwan Mishra a/w. Sarita Yadav for Petitioners.

Mr. Ajay Patil, APP for State/Respondent.

Mr. Nilesh Gupta a/w. Diksha Gupta for Respondent No.3.

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

DATE : 4 DECEMBER 2024

PC :

1. The present petition is for quashing of the C.C.No.1782/PW/2023 pending before the Metropolitan Magistrate, 24th Court, Borivali, Mumbai, arising out of the F.I.R. registered vide the C.R.No.1280 of 2022 registered with Malwani police station, Mumbai, on 14.11.2022, under sections 498A, 323 and 504 r/w. 34 of the I.P.C.

2. The F.I.R. is lodged by the Respondent No.3. The Petitioner No.1 is her husband, the Petitioner No.2 is her mother in

law, the Petitioner No.3 is her brother in law and the petitioner No.4 is the wife of the petitioner No.3. The F.I.R. mentions that the informant got married with the Petitioner No.1 on 14.05.2021. At that time, the petitioners' family were paid the money, the articles and the gold ornaments as per their demand by the family of the informant. After the marriage, she started residing with the petitioners. The F.I.R. thereafter goes on to mention that the petitioners started illtreating her on different counts. The mother in law asked her to get Rs.1 lakh from her family. The informant then left for her parental house. She was not brought back. She was told to get Rs.1 lakh and that then only she would be taken back to her matrimonial house. On this basis the F.I.R. was lodged. The investigation was carried out and the charge-sheet was filed. The charge-sheet contains statements of the parents, the brother and the sister of the informant. They support the statement of the Respondent No.3 in the F.I.R.

3. After the charge-sheet was filed, now the parties have settled their dispute. The Respondent No.3 has filed her affidavit giving her no objection for quashing of the proceedings. The

affidavit mentions certain amount which was required to be paid by the petitioners to her. She has stated in paragraph-7 of her affidavit that the proceedings be quashed. In paragraph-8 she has given her specific no objection for quashing of these proceedings. The Respondent No.3 is present before the Court. She is identified by her learned counsel. She reiterated the contents of her affidavit and stated before the Court that she has no objection for quashing of the proceedings. Both the learned counsel jointly make a statement that all the amounts are paid by the petitioners and are received by the Respondent No.3.

4. Considering this situation and since the dispute between the parties is purely personal in nature and the society at large is not involved, we are inclined to quash the proceedings.

5. Hence, the following order:

ORDER

- i) The C.C.No.1782/PW/2023 pending before the Metropolitan Magistrate, 24th Court, Borivali, Mumbai, arising out of the F.I.R. registered vide the C.R.No.1280 of 2022 registered with

Malwani police station, Mumbai, on 14.11.2022, under sections 498A, 323 and 504 r/w. 34 of the I.P.C., is quashed and set aside.

ii) The Writ petition is disposed of.

(DR. NEELA GOKHALE, J.)

(SARANG V. KOTWAL, J.)