

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

CRIMINAL WRIT PETITION NO. 4413 OF 2024

Ansar Ahmad Mohammad Ali Jinnah Shaikh
& Ors.

.....Petitioners

Versus

The State of Maharashtra & Anr.

.....Respondents

Ms. Sartaj Shaikh, Advocate for the Petitioners.

Ms. Mahalakshmi Ganapathy, A.P.P. for the Respondent-State.

Mr. Zaid Siddique, Advocate for Respondent No. 2.

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

DATE : 10th OCTOBER 2024.

P.C.:-

1. This Petition is filed for quashing of the chargesheet filed vide C.C. No. 3778/PW/2022 pending before the learned Additional Chief Metropolitan Magistrate, 66th Court at Andheri, Mumbai, arising out of C.R. No. 502 of 2022 dated 29th March 2022 registered at Sakinaka Police Station, Mumbai under Sections 324, 323, 504, 506 & 498-A read with 34 of the Indian Penal Code, 1860 and Section 4 of the Muslim Women (Protection of Rights on Marriage) Act, 2019.

2. The prosecution story is that, the Respondent No. 2 herein was the wife of Petitioner No. 1. The Respondent No. 2's case is that she got married with Petitioner No. 1 in October 2017. She was harassed and ill-treated for bringing Rs. 30,000/- from her parents. There are allegations which may attract provisions of Section 498-A of the IPC. There is a reference to the incident dated 25th March 2022 when the Petitioners beat her for not bringing Rs. 2,00,000/- for business purpose. There was an incident when the Respondent No. 2's younger brother Kaif was assaulted by the Petitioners with an iron pipe.
3. We have perused the injury certificate. The Respondent No. 2 has suffered one blunt trauma on one cheek and one blunt trauma on the lower lip. Kaif had suffered two simple injuries in the nature of abrasions on the back and hand. All these injuries are absolutely minor and simple.
4. In the above background, now the parties have settled their disputes. The injured Kaif has filed his separate Affidavit and Respondent No. 2 has filed her separate Affidavit, both dated 24th September 2024 before this Court, duly affirmed before the Assistant Registrar of this Court. They are present in

the Court and they are identified by their learned counsel. In both these Affidavits, both of them have stated that the matter is settled and they have no objection if the proceedings are quashed, which are filed against the present Petitioners.

5. Considering that the nature of dispute is strictly private between the parties, the nature of injuries are simple and since the parties have settled their disputes, we deem it fit to allow this Petition. Hence, the following order :-

ORDER

- a. The proceedings vide C.R. No. 502 of 2022 dated 29th March 2022 registered at Sakinaka Police Station, Mumbai resulting in chargesheet i.e. C.C. No. 3778/PW/2022 pending before the learned Additional Chief Metropolitan Magistrate, 66th Court at Andheri, Mumbai are quashed and set aside.
6. The Petition is disposed of accordingly.

(DR. NEELA GOKHALE, J.)

(SARANG V. KOTWAL, J.)

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