

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

CRIMINAL WRIT PETITION NO.4467 OF 2024

Aman Ravindra Gupta & Ors.

.... Petitioners

versus

The State of Maharashtra & Anr.

.... Respondents

.....

- Mr. Santosh Tiwari, Advocate for Petitioner.
- Mr. Ajay Patil, APP for the State/Respondent.
- Mr. Ramesh Gupta, Advocate for Respondent No.2.

**CORAM : SARANG V. KOTWAL &
DR. NEELA GOKHALE, JJ.**
DATE : 17th OCTOBER, 2024

P.C. :

1. This Petition is filed for quashing of the FIR dated 19/04/2023, registered vide C.R.No.147/2023 at A.P.M.C. Police Station, Navi Mumbai, for the offences punishable u/s 498-A, 323, 504 r/w 34 of the Indian Penal Code. The investigation is over and the charge-sheet is filed. The case is pending vide Case No.1206 of 2023 before the Judicial Magistrate First Class, 19th Court, at Belapur, Navi Mumbai.

2. The Respondent No.2 is the wife of the Petitioner No.1. The Petitioner Nos.2 and 3 are his parents. The Petitioner Nos.4 and 5 are his brother and sister. The Petitioner No.6 is his maternal aunt.

3. The allegations in the FIR are that the Respondent No.2 got married with the Petitioner No.1 on 23/01/2022. The informant's father had spent for the expenses during the wedding and had given Rs.5 lakhs as well as ornaments to the Petitioner No.1. He had also spent around Rs.70,000/- on the clothes. After the marriage, the Respondent No.2 i.e. the informant started residing with all the Petitioners. In February 2022 she was taken to her parents' house as per the customs. However, nobody from the Petitioners' family came to take her back. Finally in May 2022 her mother-in-law took her back to her matrimonial house. The FIR thereafter goes on to mention how she was ill-treated and harassed. There are allegations that they were asking her to bring sewing machine and gold from her parents. There are allegations that the other Petitioners used to instigate the Petitioner No.1. There was a meeting between the

families. It was decided that she should stay with her parents for a month. Accordingly she went to her parents, but thereafter nobody came to take her back to her matrimonial house. Instead, the articles like TV, washing machine, fridge etc. were returned to the informant. However, the gold ornaments were not returned. On this basis, the FIR is lodged.

4. The investigation is over and the charge-sheet is filed. It contains statements of parents and uncles of the informant. They corroborated the allegations in the FIR. Now the matter is settled between the parties. The Respondent No.2 has filed affidavit in support of the settlement. In that affidavit she has categorically stated that she has no objection if the proceedings are quashed. She is present in the Court. She is identified by her counsel. She stated before the Court that the settlement is voluntary and she supported the averments in the affidavit. The dispute is purely personal in nature. The parties have settled the dispute. The informant has no objection for quashing of the proceedings. Therefore, we are inclined to allow this Petition.

5. Hence, the following order :

ORDER

- (i) The FIR dated 19/04/2023, registered vide C.R.No.147/2023 at A.P.M.C. Police Station, Navi Mumbai and the consequent proceedings in the trial i.e. Case No.1206 of 2023 before the Judicial Magistrate First Class, 19th Court, at Belapur, Navi Mumbai, are quashed and set aside.
- (ii) The Petition is disposed of.

(DR. NEELA GOKHALE, J.)

(SARANG V. KOTWAL, J.)