

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 4493 OF 2024

Swapnil Anil BhuratPetitioner
Vs.
The State Of Maharashtra & Anr.Respondents

**WITH
CRIMINAL WRIT PETITION (ST) NO.14132 OF 2023**

Kanhaiya Sonraj BhuratPetitioner
Vs.
The State Of Maharashtra & Anr.Respondents

**WITH
CRIMINAL WRIT PETITION (ST) NO. 19865 OF 2023**

Surekha Anil BhuratPetitioner
Vs.
The State Of Maharashtra & Anr.Respondents

Mr. Nikhil Wable, with Ms. Shivani Prasad, i/b Jayakar Partners, for
the Petitioners in all Wps.
Mr. Sukanta A. Karmakar, APP for Respondent No.1-State.
Mr. Mrunal Surana, for Respondent No.2 in all Petitions.

**CORAM : SARANG V. KOTWAL AND
DR. NEELA GOKHALE, JJ.
DATE : 18th OCTOBER 2024.**

P.C.:-

1) All these three Petitions are decided by this common order
since they arise out of the same subject matter and the matter is

settled between the parties. Criminal Writ Petition No.4493 of 2024 is filed by Swapnil, the husband of the First Informant. Criminal Writ Petition (St) No.14132 of 2023 is filed by his uncle and Criminal Writ Petition (St) No.19865 of 2023 is preferred by his mother and sister.

2) In all these Petitions, the First Informant is the Respondent No.2. Mr. Mrunal Surana, Advocate appears for the Respondent No.2 and states that he has instructions to appear for her. He undertakes to file vakalatnama within a period of one week from today. The First Informant is appearing through video conferencing. She is identified by her counsel. She has lodged the FIR at Swargate Police Station vide C.R.No. 137 of 2023 on 22nd May 2023 for the offences punishable under Sections 498-A, 323, 504 read with 34 of the Indian Penal Code, 1860 ('IPC'). She has alleged in the FIR that she got married with the Petitioner, Swapnil on 27th November 2009 at Wanvadi, Pune. Her parents spent around Rs.65 lakhs in the wedding. It is alleged in the FIR that after the wedding, initially First Informant was residing with her husband, Swapnil, mother-in-law and sister-in-law at Pune for about one year and she was treated properly but thereafter mother-in-law and sister-in-law started saying that she could not cook properly, she was lazy, etc. Her husband, Swapnil also used to take

their side and did not support the First Informant. FIR thereafter mentions that her sister-in-law got married in 2013 and the First Informant and Swapnil had their daughter in the year 2014. In 2015, the First Informant went to London to stay with her husband, Swapnil. She went there alongwith her daughter but within six months she came back to India with her daughter. She was ill-treated for not delivering a son. There are allegations that Swapnil, husband of the First Informant, used to demand money from her father on different counts viz. for purchasing house in London, for education of their daughter, for purchasing air-tickets, etc. It is alleged that the Petitioner- Kanhaiya, uncle of her husband also joined in ill-treating the First Informant. Once, the First Informant with her daughter and her parents had gone to London to meet her husband but she found that the Petitioner, Swapnil had changed his address and on visiting that house, the Informant found that there was another lady present there, who told them that she was Swapnil's wife. On the same day, Swapnil contacted them and told that since they did not give money for purchasing a house, he was not ready to live with their daughter, i.e., the First Informant. Therefore, the First Informant and her parents along with her daughter returned to India and, therefore, the

present FIR is lodged by the First Informant. Investigation is still in progress. Now the parties have arrived at an amicable settlement.

3) The First Informant/Respondent No.2 has filed separate Affidavits in all these Petitions, which are taken on record. The Respondent No.2-First Informant reiterated contents of her affidavits when she appeared through video conferencing. She stated before the Court that she has no objection if the FIR is quashed.

4) Considering that the dispute between the parties is purely of personal nature and since parties have settled their disputes amicably, we see no impediment in quashing the FIR. Hence, the following order:

ORDER

- (i) All the three Petitions are allowed and the offence registered vide C.R.No.137 of 2023 at Swargate Police Station is quashed and set aside.
- 5) Petitions are disposed of.

(DR. NEELA GOKHALE, J.)

(SARANG V. KOTWAL, J.)