

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

CRIMINAL WRIT PETITION NO.4727 OF 2024

Arjun Balu Gajre
and others

.....Petitioners

Versus

The State of Maharashtra
and another

.....Respondents

Mr. Vikas Somawanshi, Advocate for the Petitioners.

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

Mr. Aditya Arekar, Advocate i/b. Vaibhav V. Ugle for the
Respondent No.2.

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

DATE : 16th DECEMBER, 2024

P.C. :

1. The present Petition is for quashing of the FIR registered vide C.R. No.756/2021 registered at Mahatma Phule Chowk police station, Thane City under Sections 323, 498-A, 504, 406, 509 read with 34 of IPC. The FIR is lodged on 13.11.2021. It is filed by the Respondent No.2. The Petitioner No.1 is her father-in-law, the Petitioner No.2 is her brother-in-law and the Petitioner No.3 is her sister-in-law. The husband of the Respondent No.2 has passed away.

2. The investigation is still going on and the charge-sheet is not yet filed. The FIR mentions that she got married with her husband Anil on 14.2.2005. There are allegations that on one occasion her husband and the Petitioner no.1 had assaulted her. She became pregnant and went to her brother's place for delivery. The Petitioners came only after eighteen months to see the informant and her child. The FIR thereafter goes on to mention that the Petitioners and her husband were ill-treating her. The main allegations are against the husband who has passed away. In 2018, the informant became seriously ill. There was no help offered by her husband since he was insisting that his name be introduced in the property left behind by the informant's father. On these basic allegations, the FIR is lodged. There is one allegation that on one occasion, the Petitioner No.1 had acted indecently.

3. However, subsequently now the matter is settled between the parties. The informant has filed her affidavit mentioning that she had filed FIR due to misunderstanding and she has no objection if the Writ Petition is allowed. She is present in the Court. She is identified by her learned counsel.

She stated before the Court that she is residing with the Petitioners and that they are looking after the informant and her son, who is now seventeen years of age. The parties are living peacefully.

4. Considering that the matter is settled between the parties, they are living peacefully and that the Respondent No.2 has no objection for quashing of the proceedings; the Petition is allowed.

5. Hence, the following order:

:: O R D E R ::

- i. The FIR being C.R. No.756/2021 registered at Mahatma Phule Chowk police station, Thane City, is quashed and set aside.
- ii. The Petition is disposed of accordingly.

(DR.NEELA GOKHALE, J.)

(SARANG V. KOTWAL, J.)