



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.5674 OF 2024

Tejas s/o. Late Mr Pravin Kacha & Ors.Petitioners
Vs.
The State of Maharashtra & Anr.Respondents

Mr. Anand Mishra, for the Petitioners.
Mr. Vinod Chate APP, for Respondent No.1-State.
Mr. Yusuf Mithi, for Respondent No.2.

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

P.C.:-

- 1) The present Petition is filed for quashing of the offence registered vide C.R.No.909 of 2023 at Vile Pare Police Station dated 28th December 2023 under Section 354, 354-D, 509, 504 & 506 of the Indian Penal Code and the resultant case being No.PW/1519/2024 pending before the Additional Chief Judicial Magistrate, 65th Court, Andheri.
- 2) Heard Mr. Mishra, learned counsel for the Petitioners, Mr. Chate, learned APP for Respondent No.1-State and Mr. Mithi, learned counsel for Respondent No.2.
- 3) Petitioner No.1 is husband of Respondent No.2 and

Petitioner No.2 is brother-in-law of Petitioner No.1 and Petitioner No.3 is his friend. The F.I.R. is lodged by Respondent No.2. She has stated that she got married with the Petitioner No.1 on 25th February 2019, but within four days of that marriage, he started ill-treating her and therefore, she left his house on 8th September 2019 and she was residing separately. But in spite of that he continued harassing her. The informant had, therefore, lodged the F.I.R. bearing C.R.No.29 of 2021 under Sections 498-A, 406, 323, 504 and 506 of the Indian Penal Code at Vile Parle Police Station. In spite of that, the Petitioner No.1 used to visit her building, used to harass her, abuse her, threaten her and touch her against her wish. On 2nd December 2023, when she had gone to attend the Court case, at that time the Petitioner No.1 had threatened her. On these allegations, the F.I.R. is lodged. The investigation was carried out and the chargesheet was filed. In the supplementary statement given by the first informant, she has added the names of other two Petitioners and has stated that the Petitioner No.1 used to harass her with actual help from the other two Petitioners. The chargesheet contains statements of two neighbours from their building, who had seen the quarrel between the parties.

4) After all this, the matter is settled between the parties.

The Respondent No.2 has filed her Affidavit. She has stated in her Affidavit that with the intervention of elders and well-wishers, there was amicable resolution of all disputes. They have filed Petition for divorce by mutual consent in the Family Court and that she has no objection for quashing of the present F.I.R.

5) The Respondent No.2 is present in the Court. She is identified by her counsel. She stated before the Court that she stood by the averments in the Affidavit and that she has no objection for quashing of the proceeding. The dispute between the parties is purely personal in nature. They have decided to settle the matter. The Respondent No.2 has given her clear no objection, therefore, we see no impediment in allowing this Petition. Hence, the order:

ORDER

- (i) The F.I.R. registered vide C.R.No.909 of 2023 at Vile Pare Police Station dated 28th December 2023 and the resultant case being No.PW/1519/2024 pending before the Additional Chief Judicial Magistrate, 65th Court, Andheri are quashed and set aside.
- (ii) The Writ Petition is disposed of accordingly.

(DR. NEELA GOKHALE, J.)

(SARANG V. KOTWAL, J.)