

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

CRIMINAL WRIT PETITION NO.5974 OF 2024

Rupali Nilesh Pawar

.....Petitioner

Versus

The State of Maharashtra
and another

.....Respondents

Mr. Shravan K. Giri, Advocate a/w. Sachin Gosai, Ekta Giri for
the Petitioner.

Mr. Anand Shalgaokar, APP for the Respondent No.1-State.

Smt. Manjusha Rao, Senior Advocate a/w. Rohan Deshmukh,
Latika Chitre, Pragati Angir for the Respondent No.2.

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

DATE : 17th DECEMBER, 2024

P.C. :

1. This is a Petition for quashing of the FIR registered
vide C.R. No.526/2015 at Ghatkopar police station, Mumbai
under Sections 354, 323, 504, 506 read with 34 of IPC
resulting in Sessions Case No.343/2017 pending before the
Sessions Court, Mumbai.

2. The first informant – Respondent No.2 was the
sister-in-law (husband's sister) of the Petitioner. The FIR refers

to an incident dated 25.4.2015. There were matrimonial disputes between the Petitioner and her husband Nilesh (the informant's brother). At the time of incident, at around 7.45 p.m., the Petitioner and her family came to the house of the informant's family. They were shouting. The Petitioner's sister insisted that they should call Nilesh. The Petitioner also joined her and she started shouting. It is alleged that the Petitioner slapped the informant's mother. There are further allegations that the Petitioner's brother slapped the informant and also outraged her modesty. He uttered the obscene words. The Petitioner slapped her, assaulted her and also uttered obscene words. On these allegations, the FIR is lodged.

3. Significantly though there were allegations against the Petitioner's brother, he was not charge-sheeted as an accused. The investigation was over and the charge-sheet was filed. He was granted benefit under Section 169 of Cr.PC.. A copy of the charge-sheet is placed on record by learned counsel for the Petitioner, which is taken on record and marked as 'X collectively' for identification. The charge-sheet contains

statements of the informant's family members, who had seen the incident and had also suffered at the hands of the Petitioner's family. After all this, now the matter is settled between the parties. There was another offence registered at the instance of the present Petitioner mainly under Section 498-A of IPC and also under various Sections of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. That matter is also settled and by a separate order those proceedings were quashed because of the settlement. Even in this matter, the parties have arrived at settlement and a prayer is made jointly for quashing of these proceedings.

4. The informant has filed an affidavit giving her specific no objection for quashing of the present FIR. She is present before the Court and she is identified by her learned counsel. She reiterated the contents in the affidavit and stated before the Court that she has no objection for quashing of the FIR.

5. Considering the private nature of the dispute between the parties and since the other proceedings between

the same parties is already quashed and set aside, we are inclined to allow this Petition.

6. Hence, the following order:

:: O R D E R ::

- i. The FIR registered vide C.R. No.526/2015 at Ghatkopar police station, Mumbai as well as the consequent criminal proceedings being Sessions Case No.343/2017 pending before the Sessions Court, Mumbai, are quashed and set aside.
- ii. The Petition is disposed of accordingly.

(DR.NEELA GOKHALE, J.)

(SARANG V. KOTWAL, J.)