

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

CRIMINAL APPLICATION NO.460 OF 2024

Shamim Ahmed Hashmi @ Samim Ahmed and ors. ... Applicants
V/s
State of Maharashtra and anr. ... Respondents

Mr. Mushahid Khan i/by Ms. Shabnam Shaikh, Advocates for the Applicants.

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

Ms. Heena Mushtaq Ahmed, Advocate for the Respondent No.2.

**CORAM : SARANG V. KOTWAL &
DR. NEELA GOKHALE, JJ.
DATE : DECEMBER 05, 2024.**

P.C. :

1. The Petitioners seek quashing of criminal proceedings in C.C. No. 303 of 2024 and pending before the Judicial Magistrate First Class, 57th Court at Kurla arising out of C.R.No.1052 of 2023 registered with Shivaji Nagar Police Station for the offences punishable under sections 498-A, 323, 504, 506 and 34 of the Indian Penal Code.

2. The Petitioner No.1 is the husband of the Respondent No.2. Petitioners No.2 to 5 are the family members of the Petitioner No.1.

3. It is the case of the Respondent No.2 that she married with the Petitioner No.1 on 28th February, 2021 according to the rites of Muslim religion. She started residing with her husband and his family members at Faridabad. Immediately after the marriage the Petitioners started harassing her by saying that her father had not gifted her a four wheeler at the time of the marriage and she should bring the same. So as to satisfy the Petitioners, the father of the Respondent No.2 paid an amount of Rs.10 lakhs to the Petitioners and the Respondent No.2 hoped that this was enough and she would have normal happy life. Despite this, the ill-treatment continued and the demands of further money and a car did not stop. She was abused, treated with cruelty which led to her filing the present FIR.

4. The investigation was complete and the charge-sheet came to be filed. The statements of her grand-father, father and two uncles were recorded by the police. These statements corroborate the allegations made by the Respondent No.2 in the FIR. During the pendency of the proceedings, the parties have decided to settle the matter amicably and the Respondent No. 2 has now filed an affidavit dated 19th March, 2024 stating that she has no objection if the criminal proceedings against the Petitioners are quashed. The Respondent No.2

is present in Court today and identified by her counsel. She reiterates the statements made by her in the affidavit.

5. In view of the aforesaid, the criminal proceedings arising from FIR No.1052 of 2023 registered with Shivaji Nagar Police Station for the offences punishable under sections 498-A, 323, 504, 506 and 34 of the Indian Penal Code is quashed and set aside.

6. The Application is disposed of.

(DR. NEELA GOKHALE, J.)

(SARANG V. KOTWAL, J.)