

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

**CRIMINAL APPLICATION NO. 466 OF 2024**

Swapnil Pradip Parab & Ors.

.....Applicants

Vs.

The State of Maharashtra & Anr.

.....Respondents

Mr. Madan Gupta, Advocate for the Applicants.

Mr. Ashish I. Satpute, A.P.P. for the Respondent-State.

Ms. Madhuri Waingankar, Advocate for Respondent No. 2.

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

**DATE : 18<sup>th</sup> OCTOBER 2024.**

**P.C.:-**

1. Leave to amend to include number of the chargesheet and corresponding pleadings, if any, in the prayer clauses of the Application is granted. Amendment is to be carried out forthwith.
2. Applicants have filed the present Application invoking jurisdiction of this Court under Section 482 of the Criminal Procedure Code, 1973, seeking quashing of the C. R. No. 962 of 2022 dated 2<sup>nd</sup> August 2022 registered with Worli Police Station, Mumbai for the offence punishable under Section 498-A read

with 34 of the Indian Penal Code, 1860 and the chargesheet culminating therefrom.

3. Applicant No. 1 is the husband of Respondent No. 2, the first informant. Applicant Nos. 2 to 4 are the parents-in-law and the sister-in-law of Respondent No. 2 respectively.
4. It is the contention of Respondent No. 2 that she has been treated with cruelty by the Applicants. She married the Applicant No. 1 on 24<sup>th</sup> December 2021 as per Hindu Wedding Rituals & Ceremonies and started residing at the matrimonial home of Applicant No. 1 with the other Applicants. In the marriage, her parents had given her gold ornaments and other household articles. It is her further contention that the Applicant Nos. 2 to 4 always told her that she should not go out with the Applicant No. 1.
5. On this and other petty reasons, they used to pick up quarrels with her and abused her. She had informed the instances of cruelty to her parents and upon learning the same, the Applicant No. 1 told her that she can remain with her parents only. All these instances led to a marital discord between the parties and consequently the impugned FIR came to

be filed.

6. Mr. Madan Gupta, learned Advocate appears for the Applicants. Ms. Madhuri Waingankar, learned Advocate appears for the Respondent No. 2 and Mr. Ashish Satpute, learned A.P.P. represents the State.
7. In the meantime, the parties have decided to settle the matter amicably and thus, the Respondent No. 2 has filed an Affidavit dated 29<sup>th</sup> August 2024, duly affirmed before a Notary Public. In paragraph no. 6 of the Affidavit, the Respondent No. 2 has given her no objection for quashing of the said FIR and the chargesheet. In paragraph no. 4 thereof, she submits that the parties have mutually filed Divorce Petition No. F-5153 of 2024 before the Family Court at Bandra, Mumbai.
8. The Respondent No. 2 is present in the Court today. She is identified by her counsel. On instructions her counsel reiterates the statements made by Respondent No. 2 in the Affidavit. We accept the said statements.
9. We have perused the chargesheet. There are statements of the brother and the parents of Respondent No. 2 in the said chargesheet. The statement of these witnesses also corroborates

the submissions made by Respondent No. 2.

10. In view of the personal relations between the parties and their decision to resolve the matter amicably, we are inclined to quash the C. R. No. 962 of 2022 dated 2<sup>nd</sup> August 2022 registered with Worli Police Station, Mumbai and the chargesheet culminating therefrom.
11. Accordingly the FIR and the chargesheet bearing C.C. No. 1179/PW/2022 pending before the learned Judicial Magistrate Court/Judicial Magistrate First Class, 62<sup>nd</sup> Court at Bhoiwada, Dadar, Mumbai are quashed and set aside.
12. Application is accordingly allowed in terms of prayer clause (I) and disposed of accordingly.

**(DR. NEELA GOKHALE, J.)**

**(SARANG V. KOTWAL, J.)**

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KOTAWADEKAR  
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by GITALAXMI  
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