

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

CRIMINAL APPLICATION NO.1260 OF 2024

Avinash Menon
and others

.....Applicants

Versus

The State of Maharashtra
and another

.....Respondents

Ms. Farzana Khan, Advocate i/b. Sudip Mallick for the
Applicants.

Mr. Ajay Patil, APP for the Respondent No.1-State.

Ms. Neetha P. Thumar, Advocate for the Respondent No.2.

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

DATE : 10th DECEMBER, 2024

P.C. :

1. This is an Application for quashing of the FIR registered vide C.R. No.01/2019 registered with Kamothe police station, Navi Mumbai under Sections 498-A, 406, 323, 504, 506 read with 34 of IPC which has resulted in R.C.C. No.489/2019 pending before the J.M.F.C. Panvel.

2. The FIR is lodged by the Respondent No.2. She has stated that she got married with the Petitioner No.1 on

22.5.2016. The Petitioner No.2 is his father and the Petitioner No.3 is his brother. The allegations are that after the marriage, she kept her *stridhan* in a bank locker. The Petitioner No.1 got addicted to liquor and started ill-treating her. On one occasion, he asked for *stridhan* kept by her in the house. He told the informant that he wanted to go to Australia and for that purpose he needed money. She refused. Thereafter he started ill-treating her. There are allegations that the Petitioner No.2 used to come home late from his shop and then the informant had to serve food etc.. The Petitioner Nos.1 & 2 used to consume liquor in front of her. The FIR thereafter goes on to mention various instances where she was beaten and ill-treated. On these allegations, the FIR is lodged. One of the main allegations is that the Petitioners wanted her *stridhan* and she had refused and on that ground she was ill-treated. The investigation was carried out and the charge-sheet is filed. The charge-sheet contains statements of her parents. They have supported her version in the FIR.

3. Now the matter is settled between the parties. The

Respondent No.2/informant has filed her affidavit giving her specific no objection for quashing of the present FIR. She is present in the Court today. She is identified by her learned Counsel. She reiterated the contents of the affidavit and re-stated that she has no objection for quashing of the FIR.

4. The dispute is purely personal in nature. The society at large is not involved. The parties have settled the matter. Therefore, we are inclined to allow this Application.

5. Hence, the following order:

:: O R D E R ::

- i. The FIR registered vide C.R. No.01/2019 registered with Kamothe police station, Navi Mumbai as well as the subsequent criminal proceedings being R.C.C. No.489/2019 pending before the J.M.F.C. Panvel, are quashed and set aside.
- ii. The Application is disposed of accordingly.

(DR.NEELA GOKHALE, J.)

(SARANG V. KOTWAL, J.)