

(Corrected Judgment as per speaking to minutes of order dated 8th December 2025)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 4607 OF 2025

1. Sayyed Huzaiffa Faheem Shah]
(Husband)]
Age:- 33 years, Occ.: Service]
2. Sayyed Naseeruddin Faheem]
Shah (Brother-in-law)]
Age:- 29 years, Occu:- Service]
3. Sayyed Faheem Rashid Shah]
(Father-in-law)]
Age:- 71 years, Occu:- Retired]
4. Shaheen Faheem Shah]
(Mother-in-law)]
Age:-62 years, Occu: Housewife]
All are residing at:- NC-3/202,]
Mamta So. Ajmera Complex,]
Prem Park, Pimpri, Dist:- Pune]
- 412303.]

...Petitioners
(Ori. Acc. No.1 to 4)

Versus

1. The State of Maharashtra]
Through Pandharpur City]
Police Station, Dist:- Solapur.]
2. Uzma Huzaifa Shah]
(Ori. Complainant)]
Age:- 30 years, Occu:- Doctor]
R/at:-754, Govindpur,]
Dist:- Solapur]

...Respondent No.1

...Ori/Complainant
Respondent No.2

WITH
WRIT PETITION NO. 135 OF 2025

1. Tabassum Imtiyaz Shah	]	
(Cousin-mother-in-law)	]	
Age 52 years, Occ.:House	]	
wife, R/at- 5/4, Gelar Chowk,	]	
Pimpri Colony, Near Jai Hind	]	
School Pimpri, dist.: Pune	]	... Petitioner

Versus

1. The State of Maharashtra	]	
Through Pandharpur City	]	
Police Station, Dist:- Solapur.	]	...Respondent No.1
2. Uzma Huzaifa Shah	]	
(Ori. Complainant)	]	
Age:- 30 years, Occu:- Doctor	]	
R/at:-754, Govindpur,	]	
Dist:- Solapur	]	...Respondent No.2

WITH
WRIT PETITION NO. 846 OF 2024

1. Sayed Mustaq Amjad Shah	]	
(Cousin-brother-in-law)	]	
Age 46 years, Occ.: Service	]	
R/at- 201, Opel Flora,	]	
Near Lifeline Hospital,	]	
Kondhawa Khurd, Dist: Pune	]	... Petitioner

Versus

1. The State of Maharashtra	]
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Through Pandharpur City	]	
Police Station, Dist:- Solapur.	]	...Respondent No.1
2. Uzma Huzaifa Shah	]	
(Ori. Complainant)	]	
Age:- 30 years, Occu:- Doctor	]	
R/at:-754, Govindpur,	]	
Dist:- Solapur	]	...Respondent No.2

WITH
WRIT PETITION NO. 2193 OF 2024

1. Sadika Mansoor Kazi	]	
(Sister-in-law)	]	
Age 36 years, Occ.:Service	]	
R/at-Waikar Cottage Panchagani	]	
Kimmins Girl School, Panchagani	]	... Petitioner

Versus

1. The State of Maharashtra	]	
Through Pandharpur City	]	
Police Station, Dist:- Solapur.	]	...Respondent No.1
2. Uzma Huzaifa Shah	]	
(Ori. Complainant)	]	
Age:- 30 years, Occu:- Doctor	]	
R/at:-754, Govindpur,	]	
Dist:- Solapur	]	...Respondent No.2

WITH
WRIT PETITION NO. 3633 OF 2025

1. Mubin Naeem Shah	]
(Cousin-brother-in-law)	]
Age:- 40 years, Occ:Service	]
Permanently R/at-Room No.4,	]

Sawant Chawl, Near	]	
ESI Hospital, Mohan Nagar,	]	
Chinchwad, Pune,	]	
Maharashtra, 411019	]	
Presently residing at:-Jeddha,	]	
Saudi Arabia	]	... Petitioner

Versus

1. The State of Maharashtra	]	
Through Pandharpur City	]	
Police Station, Dist:- Solapur.	]	...Respondent No.1
2. Uzma Huzaifa Shah	]	
(Ori. Complainant)	]	
Age:- 30 years, Occu:- Doctor	]	
R/at:-754, Govindpur,	]	
Dist:- Solapur	]	...Respondents No.2

Mr. Hasnain Kazi a/w Adv. Indrajeet Paricharak, Adv. Shraddha Vavhal, Adv. Vrushali Maindad, adv. Hafizuddin Kazi, Adv. Gayatri Kulkarni and Adv. Simran Shaikh for the Petitioners.
Adv. Ismail K. for the Respondent No.2.
Ms. Priyanka Rane, A.P.P for the Respondent-State.

Coram : M. S. Karnik &
Ajit B. Kadethankar, JJ.

Date : 24th November 2025.

JUDGMENT (PER : AJIT B. KADETHANKAR, J.)

1. All the matters arise out of a single First Information Report No. 0721 of 2023 dated 26.11.2023 registered at Pandharpur City Police

Station, Dist.- Solapur.

2. The complaint is filed by Smt. Uzma Huzaifa Shah-Sayyed under Sections 498A, 313, 323, 504, 506 read with 34 of the Indian Penal Code, 1860 (for short 'IPC'). Complainant is Respondent No. 2 in each matter.
3. The sum and substance of the complaint is that the Complainant/Respondent No.2 married with the Sayyed Huzaiffa Faheem Shah (Petitioner in Cr.W.P. No.4607 of 2025) on 02.01.2023, as per the rights and rituals of Muslim Community at Pune.
4. The Complainant seems to have complained that all the Petitioners in all above Petitions tortured her and committed the offences as are recorded in the First Information Report.
5. Today, the Complainant and petitioners in respective matters are present before us as mentioned above. The complainant makes a voluntary statement before us that she has resolved the controversy with Mr. Sayyed Huzaiffa Faheem Shah, whereby they have amicably and with mutual understanding severed from each other.
6. The complainant and her ex-husband i.e. the Petitioner Mr. Sayyed Huzaiffa Faheem Shah jointly submit that they have separated from each other with their free will within the meaning of law and that they have already decided to dislodge the cases pending *inter-se* the parties.
7. The Petitioners submit a note thereby giving description of the

parties to the litigation and their presence in today's proceeding. The note is taken on record and marked as "X" for the sake of identity. On the basis of the said note, it seems that Mr. Sayyed Huzaiffa Faheem Shah (present in the Court) is the husband of Complainant, Mr. Sayyed Faheem Rashid Shah (present through VC from Pune) is the father-in-law of the Complainant, Smt. Sayyed Shaheen Faheem Shah (present through VC from Pune) is the mother-in-law of the Complainant, Mr. Sayyed Naseeruddin Faheem Shah (present in the Court) is the brother-in-law of the Complainant, Smt. Sadika Mansoor Kazi (present through VC from Panchagani) is the sister-in-law of the Complainant, Mr. Sayyed Mustaq Amjad Shah and Mubin Naeem Shah (both present in the Court) are the cousins-brother-in-law of the Complainant, and Smt. Tabassum Imtiyaz Shah (present through VC from Pune) is the cousin-mother-in-law of the Complainant.

8. The Complainant has also tendered before us an affidavit notarized on 24.11.2025, whereby she accepts and agrees the contentions stated by the petitioners and records her voluntary consent for settlement as also for quashing the criminal proceeding that is pending at her instance. The Complainant also gives description of the cases those were pending between the parties. Complainant's affidavit is taken on record and marked as "X/2" for identity.

9. As such, both the parties would submit that the present Petitions be allowed and the “Charge-sheet No. 120 of 2024 filed in the court of the Ld. 3rd Judicial Magistrate First Class, Pandharpur registered as RCC No.478 of 2024 arising out of First Information Report No.721/2023, U/Sec. 498 (A), 323, 504, 506, 313 read with 34 of Indian penal Code registered with the Pandharpur City Police Station,” be quashed and set aside.

10. It is pertinent to note that the Complainant herself is present before us and is well assisted by her learned Counsel. Upon making query to the Complainant specifically in her mother tongue, she asserted the above story of settlement and confirms that prosecution under challenge be quashed and set aside.

11. In view of the above we are of the considered opinion that the prosecution arising out of matrimonial dispute if continued, it would amount to abuse of process of law. The matrimonial controversy itself has already come to an end, the husband and wife have already separated from each other and enjoying their independent lives.

12. Under such circumstances the present proceedings if allowed to continue, would even harm the future of these parties, and recurrently confront and remind them of the bitter relationship. As such the prosecution would be a futile exercise with no object of any just reason.

13. Hence, we pass following order:-

::ORDER::

- A)** The Petitions stand allowed;
- B)** The Charge-sheet No. 120 of 2024 filed in the court of the Ld. 3rd Judicial Magistrate First Class, Pandharpur registered as RCC No.478 of 2024 arising out of First Information Report No.721/2023, U/Sec. 498 (A), 323, 504, 506, 313 read with 34 of Indian penal Code registered with the Pandharpur City Police Station is quashed and set aside.
- C)** The proceedings in the RCC No.478 of 2024 pending in the Court of Learned 3rd Judicial Magistrate First Class, Pandharpur, also stands dropped.
- D)** Petitions disposed of accordingly.

[Ajit B. Kadethankar, J.]

[M. S. Karnik, J.]