

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

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 4585 OF 2025

1) Sachin Negi
Aged around 43 years, Indian inhabitant,
residing at 1502, B wing, Niraj City Tear,
Malad West, Chincholi Bunder Road,
Malad, Mumbai] **...Petitioner.**

Versus

1) The State of Maharashtra,
(At the instance of Savarde Police
Station)]
2) Mrs. Meenakshi Negi,
aged around 38 years old, residing at
1502, B wing, Niraj City Tear, Malad West,
Chincholi Bunder Road, Malad, Mumbai] **...Respondents.**

Adv. Ritesh M. Thobde a/w Adv. Darshan Singh Rajpurohit and Mervin Bardeskar for Petitioner.

Adv. A. A. Takalkar, APP for the Respondent No. 1-State.

Mr. Aditya Iyer (through VC) for Respondent No. 2.

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

Date : November 17, 2025.

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

(1) Rule. Rule made returnable forthwith and taken up for final disposal with consent of the parties.

(2) Heard Mr. Thobde, learned Counsel for the Petitioner, Adv. A. A. Takalkar, learned APP for the Respondent No. 1-State and Mr. Iyer for the Respondent No. 2.

(3) SUBJECT MATTER:

(3.1) Vide present Petition, the Petitioner prays for quashing of First Information Report No. 0059 of 2025 (for short "**FIR**" for the sake of convenience) dated 20th June 2025, recorded at Savarde Police Station, Taluka-Chiplun, District-Ratnagiri, for the offences punishable under Section 281, 125(a) of the Bharatiya Nagrik Suraksha Sanhita, 2023 (for short "**BNSS**" for the sake of convenience) read with Section 184 of Motor Vehicles Act, 1988 (for short "**M. V. Act**" for the sake of convenience).

(4) The Petitioner would submit that while he was driving his own car together with the Complainant i.e. Respondent No. 2 who happened to be his wife, his father Mr. Ravindrasingh Negi and mother Mrs. Meena Negi to travel for Goa, on 20th June 2025 at about 3:30 am, the car slipped off the road.

(5) The Petitioner would submit that in-fact the accident was reported to the concerned police station. However the Petitioner and his family members were shocked to learn that the learned Judicial Magistrate First Class, Chiplun issued a process against the Petitioner as if the Petitioner is accused of the accident.

(6) It is contention of the Petitioner that the Respondent No. 2 never intended to lodge such Complaint against the Petitioner i.e. her own husband. The Petitioner would further submit that from the recital of complaint itself, no offence is alleged against the Petitioner.

(7) Today the Petitioner and the Respondent No. 2 remained present before this Court through Video Conferencing Mode.

(8) Learned Counsel for the respective parties have identified them and also identified the copies of identity cards of the Petitioner and the Respondent No. 2.

(9) Both the Petitioner and Respondent No. 2 submit that the prosecution under FIR No. 0059 of 2025 is a futile exercise. The Respondent No. 2 specifically submitted that she never intended to lodge any complaint against her own husband i.e. the present Petitioner, nor any offence as registered in the said FIR is committed by the present Petitioner.

(10) As such both the parties submitted that for quashing of the present FIR they are making statement without prejudice to their contention as recorded above, that the controversy is settled amicably by them.

(11) Both the Petitioner and Respondent No. 2 would submit that in view of this, the FIR No. 0059 of 2025 be quashed and set aside.

(12) Respondent's arguments:-

(12.1) Adv. A. A. Takalkar, learned Assistant Government Pleader would fairly records his no objection for passing appropriate orders in view of the amicable settlement in between the Petitioner and Respondent No. 2.

CONSIDERATIONS AND OBSERVATIONS:

(13) We find that the Complainant/Respondent No. 2 has made the statement that the crime recorded by the concerned police authorities seems to be arisen out of a mis-understanding. The Complainant/Respondent No. 2 clearly submitted that she never intended to lodged any Complainant against her own husband nor any offence is apparently made out from the plain reading of the recorded complaint.

(14) In view of this, we are of the considered view that continuation of further proceedings pursuant to the FIR No. 0059 of 2025 dated 20th June 2025 recorded at Savarde Police Station, Taluka-Chiplun, District-Ratnagiri for the offences punishable under Section 281, 125(a) of the BNSS read with Section 184 of M. V. Act; would result into abuse of process of law. The proceedings, if allowed to continue would never reach at just object of the process and prosecution.

(15) Besides the parties have amicably settled the dispute/complaint, we don't find any offence made out of the complaint against the Petitioner.

16. In view of this, we pass following order:

::ORDER::

- (A) Writ Petition stands allowed in terms of prayer clause (a) and (b).
- (B) Ordered accordingly.
- (C) Rule made absolute in above terms. Writ Petition stands allowed in above terms.

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ASHOKRAO
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[Ajit B. Kadethankar, J.]

[M. S. Karnik, J.]