

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

CRIMINAL WRIT PETITION NO. 664 OF 2024

Shumail Muhammed Sohel Ahmed Karari & Ors. ..Petitioners
Versus
The State of Maharashtra & Anr. ..Respondents

Mr. Amol Joshi a/w. Umesh Kumar for Petitioners.
Ms. Sharmila S. Kaushik, APP for State/Respondent.
Mr. Rikin Yadav for the Respondent No.2.

**CORAM : SARANG V. KOTWAL &
 SHYAM C. CHANDAK, JJ.**

DATE : 8 SEPTEMBER 2025

PC :

1. This is a petition for quashing of the proceedings pending before the learned J.M.F.C., Panvel, bearing R.C.C.No.286 of 2024, arising out of C.R.No.203 of 2023, registered at Kharghar police station, under sections 406, 498A, 504 r/w. 34 of the I.P.C., at the instance of the Respondent No.2 herein.

2. The Petitioner No.1 is her husband and other two petitioners are the parents of the Petitioner No.1. The parties have settled their dispute, therefore, it is not necessary to refer to the

allegations in the F.I.R. in detail. However, the gist of the allegations is that the Petitioner No.1 and the Respondent No.2 got married on 30.12.2020. It is her case that the Petitioner No.1 told her that the marriage had taken place against his wish on the say of his parents. There are allegations that the Petitioner Nos.2 and 3 used to taunt her on some petty issues. There are few instances of petty quarrels between the parties. Since April 2022 the Respondent No.2 started residing with her parents. The Petitioners did not return her clothes, ornaments and the documents. There are also allegations that they were doubting her character. On these allegations the F.I.R. was lodged.

3. The charge-sheet contains statements of her parents which are on the similar lines. These statements are based on the information given by the Respondent No.2 herself. The charge-sheet is filed, however, the learned counsel for the Petitioners, on instructions, stated that, cognizance is not yet taken. The parties have settled the matter.

4. Learned counsel for the Respondent No.2 submitted that

she has already filed an Affidavit in reply giving her consent for quashing of these proceedings. It is filed in the Registry. The Affidavit is not annexed to the papers of the present writ petition by the Registry. However, the learned counsel for the Respondent No.2 submitted a copy of the said Affidavit. It is taken on record.

5. The Respondent No.2 is present in the Court. She reiterates the contents of the said Affidavit. She is identified by the learned counsel appearing for the Respondent No.2. In the Affidavit, she has stated that, both the parties have arrived at amicable settlement and she is ready and willing to withdraw all the allegations made against the Petitioner, unconditionally. She has given her unequivocal consent for quashing of the F.I.R. The Respondent No.2 stated before the Court that, she has no objection for quashing of the entire proceedings. Her Affidavit mentions that the Petitioner No.1 has handed over an amount of Rs.9 lakhs including *meher* by way of a Demand Draft dated 01.08.2025 towards final settlement of past, present and future maintenance. She has acknowledged the receipt of the same in paragraph-4 of her Affidavit.

6. Considering this situation, no purpose would be served by continuation of the proceedings. Therefore, we are inclined to allow this petition.

7. Hence, the following order:

O R D E R

- i) The Petition is allowed.
- ii) The proceedings pending before the learned J.M.F.C., Panvel, bearing R.C.C.No.286 of 2024, arising out of C.R.No.203 of 2023, registered at Kharghar police station, under sections 406, 498A, 504 r/w. 34 of the I.P.C., are quashed and set aside.
- iii) The Petition is disposed of.

(SHYAM C. CHANDAK, J.)

(SARANG V. KOTWAL, J.)