

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

CRIMINAL WRIT PETITION NO.1345 OF 2024

Shubham Sanjay Shinkar & Ors. Petitioners

versus

The State of Maharashtra & Anr. Respondents

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- Mr. Pritesh Burad a/w Ms. Samita Vaviya and Ms. Khushboo Rajgor, Mr. Shreyas Moharir i/b. M/s Pritesh Burad Associates, Advocate for Petitioners.
- Mr. S. V. Gavand, APP for the State/Respondent.
- Ms. Madhuri Garud, Advocate for Respondent No.2.

**CORAM : SARANG V. KOTWAL &
S. M. MODAK, JJ.**

DATE : 20th FEBRUARY, 2025

P.C. :

1. Leave to amend to add prayer for quashing of this proceedings. Amendment to be carried out forthwith.
2. This is a Petition for quashing of the FIR lodged vide C.R.No.83/2022 of Badlapur Police Station, Thane City, u/s 498-A, 323, 504 r/w 34 of the Indian Penal Code.

3. Heard Mr. Pritesh Burad, learned Counsel for the

Nesarikar

Petitioners, Ms. Madhuri Garud, learned counsel for the Respondent No.2 and Mr. S. V. Gavand, learned APP for the State.

4. During the pendency of the Petition, the charge-sheet is filed and the case at present is pending before the Judicial Magistrate First Class, Ulhasnagar, vide R.C.C.No.723/2023. A copy of the charge-sheet is produced on record by the learned counsel for the Petitioners. It is taken on record and marked 'X-Collectively' for identification.

5. The FIR is lodged by the Respondent No.2. The Petitioner No.2 is her husband. The Petitioner No.1 is his brother and the other Petitioners are his parents. The FIR lodged by the Respondent No.2 mentions that it was a love marriage for the Respondent No.2 and the Petitioner No.2. They got married on 01/05/2016. At the time of marriage, her father spent Rs.10 lakhs. After the marriage, she started residing with the Petitioners at her matrimonial house. She was treated properly till 2019. But thereafter, her husband suggested that they should open a Pharmaceutical shop. For that, he asked the Respondent

No.2 to get Rs.15 lakhs from her father. She refused. All the Petitioners started ill-treating and harassing her on that count. After that, the husband asked Rs.5 lakhs for purchasing a plot. Even this was refused by her. Her ill-treatment and harassment at the hands of the Petitioners continued. Ultimately, she started residing separately at her uncle's place and then this FIR is lodged.

6. The charge-sheet contains statements of the parents, uncle and aunt of the informant. Their statements are on the similar lines as those of the FIR.
7. Now the matter is settled between the parties. Both the parties have filed consent terms before the Court. In paragraph No.9 of the consent terms, there is specific no objection given by the Respondent No.2 for quashing of the FIR and the proceedings which are the subject matter of this Writ Petition.
8. The Respondent No.2 is present in the Court. She is identified by her learned counsel. She stated before the Court

that she had no objection for quashing of the proceedings. She re-iterated the statements made in the consent terms. The amount of Rs.50,000/- vide Demand Draft is handed over to the Respondent No.2. The balance amount is to be paid subsequently. Both the parties have agreed to abide by their commitments. The dispute between the parties is purely personal in nature. The society at large is not involved. Therefore, the proceedings can be quashed.

9. Hence, the following order :

ORDER

- (i) The FIR registered vide C.R.No.83/2022 of Badlapur Police Station, Thane City, and the further proceedings arising out of the said FIR, are quashed and set aside.
- (ii) The Petition is disposed of.

(S. M. MODAK J.)

(SARANG V. KOTWAL, J.)