

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

CRIMINAL WRIT PETITION NO. 5727 OF 2024

Mayur Dilip Koul and Ors.

.... Petitioners

V/s.

The State of Maharashtra and anr.

.... Respondents

Mr. Vikram Shinde for the Petitioners.

Ms. Supriya Kak, APP for Respondent No.1 – State.

Mr. Shubham Biche for Respondent No.2.

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

DATED : 13th OCTOBER, 2025

PC. :-

. This matter is not on board. However, it was mentioned by the learned Counsel for the Petitioners as well as the learned Counsel for the Respondent No.2 because they all have come from Pune. The Respondent No.2 who is from Mumbai, is also present in the Court. Therefore, for the convenience of the parties, at their request, the matter is taken up on production board since the matter is already settled between the parties.

2) Heard Mr. Vikram Shinde, learned Counsel for the Petitioners, Ms. Supriya Kak, learned APP for Respondent No.1 – State and Mr. Shubham Biche, learned Counsel for Respondent No.2.

3) The Petition is filed for quashing of the proceedings arising out of the FIR registered vide C.R.No.1443/2022 at Samata Nagar Police Station, Mumbai on 25/11/2022 under Sections 498-A, 406, 323, 504, 506 read with 34 of the Indian Penal Code.

4) The FIR is lodged by the Respondent No.2. The Petitioner No.1 was her husband. The other two Petitioners are his parents. It is not necessary to refer to the allegations in the FIR in detail because the parties have settled the matter and the divorce proceedings are pending by mutual consent.

5) The brief allegations in the FIR dated 25/11/2022 are that, the Respondent No.2 got married with the Petitioner No.1 on 04/03/2020. At that time, her parents had give ornaments to the Petitioners and their relatives. The Petitioners had also given some ornaments as *streedhan* to the Respondent No.2. The entire expenses for the marriage were borne by the Respondent No.2. The Petitioners did not even invite her parents to their house. Initially, she was residing with the Petitioner Nos.2 and 3 at Jammu and Kashmir but they started ill-treating her. They used to taunt her for not bringing enough money. In March, 2020 she came to Mumbai. She started residing with the Petitioner No.1 at Malad. She came to know that the Petitioner No.1 was having relationship with another woman. The Petitioner No.1 started ill-treating her. He used to abuse and beat her. The ill-treatment continued. The Petitioners demanded Rs.10,00,000/- for repaying the loan taken by the Petitioner No.1. The ill-treatment was on the rise. Therefore, she left the matrimonial house in March, 2021 and started residing with her parents. Her *streedhan* was misappropriated. On these allegations, the FIR is lodged.

6) The charge-sheet contains statements of her mother and sister. They have supported the case of the Respondent No.2. After all this, the matter is now settled between the parties. The Respondent No.2 has filed her affidavit in support of quashing of these proceedings. She has stated in the affidavit that they had executed Consent Terms and filed those terms before a Marriage Counsellor, Family Court, Bandra on 08/08/2025 in Petition A. No.2489/2024. She has given her specific no objection for quashing of the present proceedings.

7) The Respondent No.2 is present in the Court. She is identified by her learned Counsel. She reiterated the contents of the Affidavit. She submitted before the Court that the settlement was arrived at to her satisfaction and that she has no objection for quashing of these proceedings.

8) Considering this situation, continuation of the criminal prosecution will not serve any purpose. Therefore, in the interest of justice and in the interest of parties, we are inclined to allow this Petition. Hence, the following Order :-

(a) The proceedings arising out of the FIR registered *vide* C.R.No.1443/2022 at Samata Nagar Police Station, Mumbai on 25/11/2022 under Sections 498-A, 406, 323, 504, 506 read with 34 of the Indian Penal Code, are quashed and set-aside.

9) The Petition is disposed of in aforesaid terms.

(SHYAM C. CHANDAK, J.)

(SARANG V. KOTWAL, J.)

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JAYANI

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