

Vina Khapde
(P.S.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 111 OF 2025

Somu Nikhil Ghosh and ors

.. Petitioners

Versus

The State of Maharashtra and ors

.. Respondents

.....

- Mr. Rajas Naik for the Petitioners.
- Mr. B. V. Holambe-Patil, APP for the Respondent – State.
- Ms. Borkha Motwani for Respondent No.3.

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

DATE : 4th FEBRUARY 2025

P.C.:

1. Heard Mr. Rajas Naik, the learned Counsel for the Petitioners, Mr. Holambe-Patil, the learned APP for the Respondent – State, and Ms. Borkha Motwani, the learned Counsel for Respondent No.3 – first informant.

2. This Writ Petition is for quashing the FIR registered vide C.R. No.150 of 2023 at Hill Line Police Station, Thane City, dated 20/4/2023, under Sections 498(A), 406 read with Section 34 of the Indian Penal Code, 1860. The Fir was lodged by the Respondent No.3.

3. The FIR mentions that Respondent No.3 got married with Petitioner No.1 on 11/5/2018 at Ambernath. The parents of the informant incurred all the expenses and also gifted them various ornaments. Further, she claims that her in-laws had kept all the

ornaments with them. After the marriage, she started residing with the Petitioners. The life was peaceful for two months. However, the mother-in-law used to object the informant doing night shift. Prior to the marriage, she was working with a private limited company at Pune. She had left the job on the say of her husband. The other family members used to instigate the husband. He used to taunt her. Her mother was called by the mother-in-law on 16/11/2019, at that time, the mother-in-law threatened her and demanded Rs.1 Lakh. The informant was physically assaulted on 25/11/2019. On these allegations, the FIR came to be registered.

4. Now both of them have settled their dispute and they have decided to lead separate lives. They have filed a Petition for divorce by mutual consent. A copy of the Consent Terms is annexed to the Petition.

5. Now, Respondent No.3 is consenting for quashing of this FIR. The chargesheet is not yet filed. It is mentioned in Clause Nos. 3 and 4 of the consent affidavit that she has given consent for quashing of the FIR. No purpose will be served by keeping the criminal proceedings pending. She is present in the Court and has reiterated the contents of the affidavit. She is also identified by her learned counsel.

6. We find it fit to quash the proceedings in the interest of both the

parties. The parties have agreed to comply with the terms of the consent affidavit. Hence the following order is passed :

ORDER

- (i) The FIR registered vide C.R. No.150 of 2023 at Thane City Hill Line Police Station, dated 20/4/2023, under Sections 498(A), 406 read with Section 34 of the Indian Penal Code, 1860, is quashed and set aside.
- (ii) Petition is disposed of.

[S.M. MODAK, J.]

[SARANG V. KOTWAL, J.]