

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

CRIMINAL WRIT PETITION NO.242 OF 2025

Brijesh Ramrit Yadav

...Petitioner

Vs.

State of Maharashtra & Anr.

...Respondents

Mr. Niraj Bhatiya a/w Mr. Dishant Chitalia i/by Adv. Dimple Joshi, for the Petitioner.

Ms. Sharmila Kaushik, APP for the Respondent No.1-State.

Adv. Ritesh Tiwari a/w Adv. Hansraj Solanki i/by Adv. Tarun Sharma, for the Respondent No.2.

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

DATED : 22nd SEPTEMBER, 2025

P.C. :-

1) This is a Petition for quashing of the proceedings in connection with RCC No.2878 of 2023 pending before the learned Judicial Magistrate First Class, Thane arising out of C.R. No.192 of 2023 registered at Mira Road Police Station, Mumbai on 19th May, 2023. In this case, the charge-sheet is already filed. It is not necessary to refer to the allegations in detail because the parties have separated and a prayer is made for quashing of the entire proceedings by consent; though the Petition is filed on merits of the matter.

2) Briefly, the allegations in the F.I.R. lodged by the Respondent No.2 against her husband i.e., the Petitioner is that she got married with him on 10th February, 2022. It was a love marriage. Even before marriage,

she came across some situations where she was convinced that he was chatting with other women. Even after her marriage, she realized that the Petitioner was in touch with other women. There are certain allegations attracting Section 377 of the Indian Penal Code. She was residing with the Petitioner from 10th February, 2022 up to 29th June, 2022 and the F.I.R. was lodged on 19th May, 2023 on these allegations. The charge-sheet contains statements of her sisters, documents regarding her medical examination and panchanamas.

3) The Respondent No.2 is present in the Court. She is identified by her learned Counsel. She has filed her Affidavit-in-Reply. In the said reply, she has specifically stated that the present proceedings be set aside as the parties have mutually agreed to set aside all the charges and amicably settle the dispute. She reiterated the contents of her Affidavit before the Court. She submitted that the proceedings be quashed.

4) Considering this situation, no purpose would be served in continuation of the criminal prosecution. Both parties can lead their separate lives peacefully. Therefore, in the interest of justice and in the interest of both the parties, we are inclined to allow this Petition. Hence, the following Order :-

:: ORDER ::

- (a) The proceedings bearing RCC No.2878 of 2023 pending before the learned Judicial Magistrate First Class, Thane

arising out of C.R. No.192 of 2023 registered at Mira Road Police Station, Mumbai on 19th May, 2023, are quashed and set aside.

(b) Petition is disposed of.

(SHYAM C. CHANDAK, J.)

(SARANG V. KOTWAL, J.)