

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

CRIMINAL WRIT PETITION NO.1296 OF 2024

Dolly Nimish Shah
and another

.....Petitioners

Versus

Riya Anand Gupta
and another

.....Respondents

.....

WITH

CRIMINAL WRIT PETITION NO.840 OF 2025

Nimesh Ramesh Shah

.....Petitioner

Versus

Riya Anand Gupta
and another

.....Respondents

Mr. Darshan Juikar, Advocate for the Petitioners in both the Petitions.

Mr. S.V. Gavand, APP for the Respondent No.1-State.

Ms. Shreya Shrivastava, Advocate for the Respondent No.2 in both WPs.

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

DATE : 11th FEBRUARY, 2025

P.C. :

1. In both these Petitions, a common order is passed today because they arise out of the same prosecution. In both these matters, the Respondent No.1 is the first informant, who

has filed C.R. No.572/2023 registered at Oshiwara police station, Mumbai under Section 498-A read with 34 of IPC.

2. The charge-sheet is filed and the matter is pending before the learned J.M.F.C. Railway Court, Andheri. The Petitioners in Criminal Writ Petition No.1296/2024 are the mother-in-law and husband of the informant and the Petitioner in the other Petition is her father-in-law.

3. Heard Mr. Darshan Juikar, learned counsel for the Petitioners in both the Petitions, Mr. S.V. Gavand, learned APP for the Respondent No.1-State and Ms. Shreya Shrivastava, learned counsel for the Respondent No.2 in both petitions.

4. The FIR mentions that the informant got married with the Petitioner Jenil on 8.7.2022. It was a love-marriage. The informant's father-in-law was a doctor and was practicing in Saudi Arabia. After marriage, the father-in-law left for Saudi Arabia. The informant stayed with the other Petitioners. She was working in a firm. The FIR thereafter mentions that she was ill-treated time and again by both the mother-in-law and

the husband. The harassment was mainly regarding the household expenses, electricity bills etc.. They were asking her to get money and car from the informant's parents. There are many other allegations of a similar nature. However, it is not necessary to refer to all these allegations because the parties have now settled their dispute. The informant-Respondent No.1 has filed her separate affidavits in both these Petitions giving specific no objection for quashing of these proceedings i.e. C.R. No.572/2023 registered at Oshiwara police station, Mumbai and Police Case No.1426/PW/2024 on the file of the learned Judicial Magistrate, First Class, Railway Court, Andheri, Mumbai. The dispute between the parties is purely personal in nature. The society at large is not involved. The parties have settled their disputes. The informant has no grievance against any of the Petitioners. She has given her specific no objection for quashing of the prosecution. She is present in the Court. She is identified by her learned counsel. She reiterated the contents of her affidavits and she stated that she has no objection for quashing of the proceedings.

Therefore, both the Petitions can be allowed.

5. Hence, the following order:

:: O R D E R ::

- i. The FIR being C.R. No.572/2023 registered at Oshiwara police station, Mumbai as well as the consequential proceedings being Police Case No.1426/PW/2024 on the file of the learned Judicial Magistrate, First Class, Railway Court, Andheri, Mumbai, are quashed and set aside.
- ii. Both the Petitions are disposed of accordingly.

(S.M. MODAK, J.)

(SARANG V. KOTWAL, J.)

Deshmane (PS)