

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

CRIMINAL WRIT PETITION NO.1933 OF 2024

Akshay Lalit Rathi and Ors. ... Petitioners
Vs.
State of Maharashtra & Ors. ... Respondents

Mr. Shadab Khopekar with Mr. Yash Sharma for the Petitioners.
Ms. Sharmila S. Kaushik APP for the Respondent-State.
Mr. Jitendra Jha for the Respondent No.3.
Mr. R. D. Nalawade PSI, Nayanagar police station present.

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

DATED : 9th OCTOBER, 2025

P.C. :-

- 1) Present Petition seeks quashing and setting aside of R.C.C. No.697 of 2024 arising out FIR bearing No.558 of 2023 dated 1st November, 2023 registered with the Nayanagar police station, Thane under Sections 498-A, 377, 509, 406, 323, 504, 506 and 34 of the Indian Penal Code on the report filed by the Respondent No.3 against the Petitioners. Initially, the said case was filed before the 1st Court of the learned Judicial Magistrate First Class, Thane. Later on, the case came to be transferred to the file of the Court of the learned Judicial Magistrate First Class, Mira Bhayandar where it has been re-registered as R.C.C. No. 1559 of 2025.
- 2) Heard learned Counsel for the Petitioners, learned A.P.P. for the Respondent Nos.1 and 2, learned Counsel for the Respondent No.3.

3) The Petitioner No.1 is the husband of the Respondent No.3. The Petitioner Nos.2 and 3 are the parents, the Petitioner No.4 is brother and the Petitioner Nos.5 and 6 are Uncle and Aunt of the Petitioner No.1, respectively.

4) During the pendency of the Petition, the parties arrived at an amicable settlement. Therefore, it is not necessary to refer in detail the allegations leveled against the Petitioners. Briefly stated, the case of the Respondent No.3 is that, she had got married with the Petitioner No.1 on 3rd May, 2022. After the marriage, she went to cohabit in the family of the Petitioners. Thereafter, the Petitioners harassed the Respondent No.3 to coerce her to fulfill their unlawful demand of gold ornaments and money to be brought from her parents. The Petitioner No.2 used to pass embarrassing comments regarding the clothes on her person. In June 2023, the Respondent No.3 was called to work by joining her company at Bengaluru. However, the Petitioners did not allow her to go there. Consequently, she lost her employment. The Petitioner No.1 caused her to involve in the act attracting an offence of Section 377 of the I.P.C. against him. Once, there was dispute on account of installation of CCTV cameras in the house, which the Respondent No.3 resisted. Therefore, the Petitioner No.1 assaulted her. Thereafter, when the Petitioner No.1 fell sick and the Respondent No.3 wanted to visit him, she was not allowed to see him. Lastly, the Petitioners retained her *Stridhan* articles and did not return it.

In view of these allegations, the said crime was registered. The statement of the mother and brother of the Respondent No.2 supported the said allegations. On completion of the investigation the charge-sheet was filed. Consequently, the said case came to be registered before the Court.

5) The Respondent No.3 is present before the Court through Video Conference. She is identified by her learned Counsel. She states that the matter is amicably settled between her and the Petitioners and that, she has no objection to quash and set aside the said case. She has filed her affidavit to that effect and reiterated its contents. The affidavit mentions that the matter is amicably settled between the parties out of counseling and mediation. The parties would proceed for divorce by mutual consent. Therefore, she has no objection to quash and set aside the said case.

6) In the backdrop, continuation of the proceedings in the said case arising out of aforesaid FIR would not serve any purpose. Therefore, we are inclined to quash and set aside the said case proceedings in the interest of the justice and in the interest of the parties. Hence, the following Order :-

:: ORDER ::

- (i) Petition is allowed.
- (ii) The proceedings in R.C.C. No.697 of 2024 arising out FIR bearing No.558 of 2023 dated 1st November, 2023 registered with the Nayanagar police station, Thane under Sections

498-A, 377, 509, 406, 323, 504, 506 and 34 of the Indian Penal Code, initially, filed before the 1st Court of the learned Judicial Magistrate First Class, Thane and later on, transferred to the file of the Court of the learned Judicial Magistrate First Class, Mira Bhayandar and re-registered as R.C.C. No. 1559 of 2025, are quashed and set aside.

(SHYAM C. CHANDAK, J.)

(SARANG V. KOTWAL, J.)