

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

CRIMINAL WRIT PETITION NO.1949 OF 2024

Manoj Amirchand Jain & Anr.

...Petitioners

Vs.

The State of Maharashtra & Anr.

...Respondents

Ms. Manasi Marathe i/by Mr. Akshay Deshmukh, for the Petitioners.

Ms. Sangeeta D. Shinde, APP for the Respondent No.1-State.

Mr. Rahul Shelke a/w Mr.Akshay Bansode, for the Respondent No.2.

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

DATED : 15th OCTOBER, 2025

P.C. :-

1) This is a Petition for quashing of the F.I.R. registered *vide* C.R.No.149/2022 at Chitalsar Manpada Police Station, Thane under Sections 498-A read with 34 of the Indian Penal Code, 1860 and the consequent proceedings arising therefrom.

2) Heard Ms. Manasi Marathe, learned Counsel for the Petitioners, Ms. Sangeeta Shinde, learned APP for Respondent No.1 – State and Mr. Rahul Shelke, learned Counsel for Respondent No.2.

3) The F.I.R. is lodged by the Respondent No.2. The Petitioner No.1 was her husband and the Petitioner No.2 is his mother. It is not necessary to refer to the allegations in the F.I.R. in detail as the parties have settled their dispute and have applied for Divorce by Mutual Consent.

4) Briefly stated, the allegations are that the Respondent No.2 got married with the Petitioner No.1 in the year 2007. They were belonging to different castes. Therefore, she was not aware of the customs of the Petitioners' family. She tried to learn the customs but she was always ill-treated. The Petitioner No.2 humiliated her. The informant gave birth to her daughter in the year 2013 but she was sent back to her parents' home. The Petitioners did not look after the new born child. There are allegations that the Petitioners were using the informant's income. Then, ill-treatment continued for quite some time. We are informed that though she was residing at her parents' house since 2013, the Petitioner No.1 was meeting her quite often. Since 2021, they stopped meeting and this F.I.R. is lodged in the year 2022. The charge-sheet contains statements of the parents and other relatives of the Respondent No.2. They have supported her case.

5) Now, the matter is settled between the parties. The daughter of the Respondent No.2 is residing with her. The Respondent No.2 has filed her Affidavit. There is a reference to R.C.C. No.260 of 2023. In the Affidavit, she has mentioned that the parties have filed Divorce Petition by mutual consent before the Family Court at Thane bearing Petition No.F/730/2025. She has stated that she was withdrawing all the allegations against the Petitioners and she has given her clear no objection for quashing of these proceedings.

6) It is mentioned in the Affidavit that the case is now pending *vide* R.C.C. No.260 of 2023 before the learned Chief Judicial Magistrate, Thane.

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

8) Considering this situation, no purpose would be served in continuing with the criminal prosecution. Therefore, in the interest of justice and in the interest of parties, we are inclined to allow this Petition. Hence, the following Order:-

:: ORDER ::

(a) The proceedings arising out of C.R. No.149 of 2022 registered with Chitalsar Manpada Police Station, Thane under Sections 498-A read with 34 of the Indian Penal Code, 1860 are quashed and set-aside.

9) The Petition is disposed of in the aforesaid terms.

(SHYAM C. CHANDAK, J.)

(SARANG V. KOTWAL, J.)