

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

Writ Petition No.2313 of 2024

Mrs. Chandan Jitul Mehta ... Petitioner
V/s.
The State of Maharashtra and anr. ... Respondents.

**WITH
Criminal Application No.225 of 2025**

Nikesh Meisheri Khushalchand & others Petitioners
v/s.
The State of Maharashtra and anr. ... Respondents.

LATA
SUNIL
PANJWANI
Digitally
signed by
LATA
SUNIL
PANJWANI
Date:
2025.03.19
17:35:14
+0530

Mr. Ninad Mujumdar, Advocate a/w. Manish Kenia, Advocate and
Ankita Sovani i/b. Legal Spectrum, Advocate for the Petitioner in
both matters.

Mr. B.V. Holambe Patil, APP for the State/Respondent in WP
No.2313/24.

Smt. M.H. Mhatre, APP for the State in APL 225/25.

Ms. Vishakha Gala for Respondent No.2 is both matters.

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

DATE : 17th March 2025.

P.C. :

Both these matters, the Writ Petition and the Criminal Application are decided by this common order because they arise out of the same subject matter. In both these matters, the Respondent No.2 is the first informant who has lodged C.R. No.149/2024 at Matunga Police Station on 26th March 2024 under Sections 498-

A,504,506,323 and 34 of Indian Penal Code. The investigation is still going on but the parties have settled the matter. The Applicant No.1 in Criminal Application No.225/25 is husband of the Respondent No.2, Applicant No.2 is father of Applicant no.1. The Applicant No.3 is his brother and Applicant No.4 is wife of Applicant No.3. The Petitioner in Criminal WP No. 2313/2024 is sister-in-law of the first informant.

2. The FIR mentions that the informant got married with the Petitioner Nikesh on 12th June 2011. It is not necessary to refer the allegations in the FIR in detail because parties have settled the matter. However, the brief allegations are that after that marriage she started residing in her matrimonial house. All the Petitioners were residing together but the informant was ill treated and harassed. It is alleged that because of the dispute, informant's brother-in-law and his wife stopped visiting their house for which her husband blamed the informant. The husband demanded Rs.50 lacs indirectly. He wanted to start his business but the informant refused to bring that amount from her parents. The FIR goes on mentioning similar incidents. She was not given sufficient amount for her household expenses. On all these allegations the FIR is lodged. Now the matter is settled between the parties. The Respondent No.2 has filed affidavits of consent in both these matters. She has specifically stated in her affidavit that she had filed proceedings under the Protection of Women from Domestic Violence Act, 2005 before the Judicial Magistrate First class, 50th Court, Vikhroli, Mumbai. Even that

matter is settled. The husband and herself had filed the divorce petition by consent. It is kept for final disposal on 2nd August 2025. The permanent alimony is fixed at Rs.27,50,000/- which is already deposited by the husband in the Family court.

3. In this background she has recorded her specific no objection for quashing of these proceedings. The first informant is present in the court. She is identified by her learned counsel. She reiterated the contents of the affidavit. She stated before the Court that she has no objection for quashing of these proceedings. The dispute between the parties is purely personal in nature. The Society at large is not involved. No purpose will be served by continuation of the criminal proceedings. Hence, the following order:

ORDER

(i) The Writ Petition and the Criminal Application are allowed.

(ii) The F.I.R. registered vide C.R. No.149/2024 at Matunga Police Station on 26th March 2024 under Sections 498-A, 504, 506, 323 and 34 of Indian Penal Code and the consequent proceedings are hereby quashed and set aside.

4. The Writ Petition and the Criminal Application stand disposed of accordingly.

(S.M. MODAK, J.)

(SARANG V. KOTWAL, J.)