

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

Writ Petition No.2469 of 2024

Anubhav s/o Shiweshwar Vinod and anr. ... Petitioners
V/s.
State of Maharashtra and anr. ... Respondents.

Mr. Aamir Asif Qureshi for the Petitioners.
Mr. J.P. Yagnik, APP for the State.

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

DATE : 9th April 2025.

P.C. :

Leave to amend to mention case number before the concerned Court. Amendment be carried out forthwith.

2. This is a petition for quashing of the proceedings arising out of C.R.No.203/2019 registered with Malad Police Station on 13th April 2019 under Sections 498-A read with Section 34 of the Indian Penal Code.

3. The investigation is completed and the charge-sheet is filed. The case bearing Police Case No.W/2403616/2023 is pending before the learned Addl. Chief 24th Metropolitan Magistrate, Borivali, Mumbai (Now the Additional Chief Judicial Magistrate). The FIR is lodged by the Respondent No.2. The Petitioner No.1 is her husband and Petitioner No.2 is her father-in-law.

The FIR mentions that the Respondent No.2 and the Petitioner No.1 got acquainted in the year 1999. They developed love relationship. They got married on 18th January 2000. The entire expenses for the marriage were borne by the informant's family. It is not necessary to describe the allegations in the FIR because the parties have today not only settled the matter but are staying together. They have young children aged 20 and 18 years.

The gist of the FIR is that the Petitioner No.1 used to ill treat and beat the informant. There are some reference to her character and her erratic behavior. The charge-sheet contains statements of their house-helpers. The informant's mother and friend, all of them have supported her allegations in the FIR. However, as mentioned earlier the parties have now settled their dispute. The first informant has filed her affidavit. She has stated in the affidavit that they have settled the matter, most importantly, for the sake of their young children. They are residing happily together and for the sake of the entire family and particularly for those of their children the proceedings need to be quashed.

4. The Respondent No.2 is present in the Court. She is identified by her learned Counsel. She reiterated the contents of her affidavit. She stated before the Court that they are residing happily together and she has no objection whatsoever for quashing of the present proceedings.

5. The dispute between the parties is purely personal in nature. Both of them have settled the matter in particular for the sake of their children. Therefore, it would be necessary to quash these proceedings. Hence, the following order:

ORDER

(i) The Writ Petition is allowed.

(ii) The F.I.R. registered vide C.R. No.203/2019 with Malad Police Station on 13th April 2019 under Sections 498-A read with Section 34 of the Indian Penal Code and the consequent proceedings pending before the learned Addl. Chief 24th Metropolitan Magistrate, Borivali, Mumbai (Now the Additional Chief Judicial Magistrate) bearing Police Case No. W/2403616/2023 are hereby quashed and set aside.

6. The Writ Petition stands disposed of accordingly.

(S.M. MODAK, J.)

(SARANG V. KOTWAL, J)