

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

CRIMINAL WRIT PETITION NO.2726 OF 2024

Ishrat Jahan Mohd. Khalik Shaikh & Ors. Petitioners
versus
The State of Maharashtra & Anr. Respondents

**WITH
CRIMINAL WRIT PETITION NO.1130 OF 2025**

Shaikh Aabid Ali Mohd. Khalik Petitioner
versus
The State of Maharashtra & Anr. Respondents

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- Ms. Shabnam Shaikh a/w Moshahid Khan, Advocate for Petitioners.
- Mr. B. V. Holambe-Patil, APP for the State/Respondent.
- Mr. Shakil Hasan Ahmed Khan, Advocate for Respondent No.2 in both the Writ Petitions.

**CORAM : SARANG V. KOTWAL &
S. M. MODAK, JJ.
DATE : 11th MARCH, 2025**

P.C. :

1. Both these Petitions are decided by this common order, because they arise out of the same proceedings related to C.R.No.472/2023 dated 04/06/2023, registered with Shivaji Nagar Police Station, Mumbai, u/s 498-A, 323, 504 r/w 34 of the Indian Penal Code.

2. Heard Ms. Shabnam Shaikh, learned Counsel for the Petitioners, Mr. Shakil Hasan Ahmed Khan, learned counsel for the Respondent No.2 and Mr. B. V. Holambe-Patil, learned APP for the State.
3. The Petitioners in Criminal Writ Petition No.2726 of 2024 are the mother-in-law and four sisters-in-law of the Respondent No.2. The Petitioner in the other Petition i.e. Criminal Writ Petition No.1130 of 2025 is the husband of the Respondent No.2. The prayer is made for quashing of the FIR and the consequent C.C.No.115/PW/2024 pending before Judicial Magistrate First Class, 57th Court, Kurla, Mumbai, u/s 498-A, 323, 504 r/w 34 of the Indian Penal Code.
4. The FIR is lodged by the Respondent No.2. She states that she got married with the Petitioner Abid Mohammad on 24/01/2020. After 10 days of marriage her husband left for Dubai in connection with his job. After that, the other Petitioners i.e. the mother-in-law and sisters-in-law started taunting her and they were ill-treating and harassing her on the ground that the

Respondent No.2's parents had not spent sufficiently for her and had not given sufficient gold ornaments. The Respondent No.2's father collected Rs.2 lakhs from his relatives and gave that amount to the mother-in-law of the Respondent No.2. The husband took the Respondent No.2 to Dubai in November 2020 and brought her back in January 2021. She was left at her parent's house. After that, he did not contact her. He returned to India on 22/05/2023. The Respondent No.2 and her father went to his house on 03/06/2023 and suggested that they should start their co-habitation. But he refused. On these allegations, the FIR is lodged.

5. Now the matter is settled between the parties. The Respondent No.2 has filed her affidavit in Criminal Writ Petition No.1130 of 2025. It is annexed at annexure 'D'. She has filed a separate affidavit in Criminal Writ Petition No.2726 of 2024. In both these affidavits, she has recorded her specific no objection and consent for quashing of the present proceedings. The Respondent No.2 is present in the Court and she is identified by her learned counsel. She stated before the Court and she has no

objection for quashing of the proceedings. The matter is settled between them. The dispute between the parties was purely personal in nature. The society at large is not involved. The dispute is now settled. Therefore, there is no propriety in continuing the criminal proceedings. Therefore, we are inclined to allow both these Petitions.

6. Hence, the following order :

ORDER

- (i) The FIR registered vide C.R.No.472/2023 dated 04/06/2023, with Shivaji Nagar Police Station, Mumbai and the further proceedings i.e. C.C.No.115/PW/2024 pending before Judicial Magistrate First Class, 57th Court, Kurla, Mumbai, are quashed and set aside.
- (ii) The Petitions are disposed of.

(S. M. MODAK J.)

(SARANG V. KOTWAL, J.)