

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

Criminal Writ Petition No.2787 of 2024

Mohd. Hasnain Abdul Rashid & ors. ... Petitioners
V/s.
The State of Maharashtra and ors. ... Respondents.

Mrs. Nazneen Khatri a/w. Khatri Mohamed Adil for the Petitioners.

Ms. Tasmiya Memon a/w. Sagar Samel, Advocate for the Respondent No.2.

Mr. S.R. Agarkar, APP for the State.

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

DATE : 2nd May 2025.

P.C.:

This is a petition for quashing of the proceedings arising out of C.R. No.502/2021 registered with Mankhurd Police Station under Sections 498-A, 323,504 read with Section 34 of Indian Penal Code. The investigation is still going on and the charge-sheet is not yet filed. The FIR is lodged on 5th August 2021. It is not necessary to refer the allegations in the FIR in detail because the parties have not only settled the disputes but they are even residing together happily.

2. The gist of the FIR is that informant-Respondent No.2 got married with Petitioner No.4 on 19th November 2016. The other

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Petitioners are his parents, sister and brother. The allegations are that the informant was ill treated for demand of money. She gave birth to her daughter on 21st December 2017 but Petitioners raised suspicion about her character. She went to Mumbai to stay with her parents on 2nd September 2019 and thereafter Petitioners never bothered to take her back.

3. On these allegations the FIR was lodged. Now the matter is completely settled between the parties. The informant-Respondent No.2 is now residing with Petitioner No.4-husband and their daughter in U.P.. She has filed her affidavit mentioning these facts and she has given her consent for quashing of the present FIR. The Respondent No.2 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 is residing happily with her husband and daughter and that she has no objection for quashing of these proceedings.

4. Considering this situation, in the interest of the parties concerned, the petition can be allowed. There is no point in continuing with the criminal prosecution in these circumstances. Hence, the following order:

ORDER

(i) The Writ Petition is allowed.

(ii) The F.I.R. registered vide C.R. No.502 of 2021 with Mankhurd Police Station under Sections 498-A, 323,504

read with Section 34 of Indian Penal Code and the consequent proceedings are hereby quashed and set aside.

5. The Writ Petition stands disposed of accordingly.

(S.M. MODAK, J.)

(SARANG V. KOTWAL, J.)