

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

**CRIMINAL WRIT PETITION NO. 3726 OF 2024**

Sagar Bandu Patil & Ors.

..Petitioners

Versus

The State of Maharashtra & Anr.

..Respondents

Mr. R. R. Mishra for Petitioners.

Smt. M. H. Mhatre, APP for State/Respondent.

Mr. Tejas Mane for the Respondent No.2.

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

**DATE : 11 FEBRUARY 2025**

**PC :**

1. This is a petition for quashing of the F.I.R. registered vide C.R.No.619 of 2023 at Charkop police station, under sections 498A, 509, 323, 494, 341 r/w. 34 of the I.P.C. and the resultant Criminal Case No.1838/PW/2024 pending before the 24<sup>th</sup> Metropolitan Magistrate, Borivali.

2. The F.I.R. was filed by the Respondent No.2. The Petitioner No.1 was the husband of the Respondent No.2, the Petitioner Nos.2 and 3 are his parents, the Petitioner No.4 is his sister, the Petitioner No.5 is his uncle and the Petitioner No.6 is his

friend. The allegations in the F.I.R. are that, she got married with the Petitioner No.1 on 26.01.2015. They have a daughter who is aged 8 years as of today. The F.I.R. mentions various allegations. Some of the allegations are that, she was harassed because she had a daughter and not a son. There are allegations that the Petitioner No.1 was addicted to liquor. According to her, the Petitioner No.6 had close relations with the Petitioner No.1 and she also harassed the informant.

3. In 2013, when she had returned home from her parent's house from a short visit, she was not allowed to enter her matrimonial house. There are various other allegations of harassment. Her statement is supported by her parents, brother and sister; who were also humiliated on different occasions. There are statements of the members of the society. However, it is not necessary to go into the details regarding these allegations because the parties have now settled the matter between themselves.

4. An Affidavit is filed by the Respondent No.2 giving her no objection for quashing of these proceedings. It is mentioned in

the Affidavit that, both the parties had approached the Family Court at Bandra for divorce proceedings. During the counseling session, both of them agreed to obtain divorce by mutual consent and to settle the dispute. The Respondent No.2 was paid Rs.18 lakhs as per the consent terms. In paragraph-11, the Respondent No.2 has given her specific no objection for quashing of these proceedings. She is present in the Court. She is identified by her learned counsel. The Respondent No.2 reiterated the statements in the petition and she has stated before the Court that she has no objection for quashing of the proceedings. The dispute between the parties is purely personal in nature. The society at large is not involved. The parties have settled the matter. There is no point in continuation of these proceedings. Therefore, the F.I.R. and the consequent proceedings can be quashed.

5. Hence, the following order:

### ORDER

- i) The F.I.R. registered vide C.R.No.619 of 2023 at Charkop police station, under sections 498A, 509, 323, 494, 341 r/w. 34 of the I.P.C. and the

resultant Criminal Case No.1838/PW/2024 pending before the 24<sup>th</sup> Metropolitan Magistrate, Borivali, are quashed and set aside.

ii) The Writ Petition is disposed of.

(S. M. MODAK, J.)

(SARANG V. KOTWAL, J.)