

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

CRIMINAL WRIT PETITION NO.3915 OF 2024

Adil Farook Shaikh
and another

.....Petitioners

Versus

State of Maharashtra
and others

.....Respondents

Mr. Raviraj S. Gamare, Advocate for the Petitioners.

Smt.M.H. Mhatre, APP for the Respondent No.1 & 2-State.

Ms. Swati Singh, Advocate for the Respondent No.3.

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

DATE : 11th FEBRUARY, 2025

P.C. :

1. This is a Petition for quashing of the FIR lodged vide C.R. No.833/2021 registered with MIDC Police Station, Mumbai on 29.9.2021 under Sections 498-A, 406, 504, 506 read with 34 of IPC and the resultant Criminal Case No.1077/PW/2023 pending before the Additional Chief Judicial Magistrate, 22nd Court, Andheri West, Mumbai.

2. Heard Mr. Raviraj Gamare, learned counsel for the Petitioners, Smt.M.H. Mhatre, learned APP for the Respondent No.1 & 2-State and Ms. Swati Singh, learned counsel for the Respondent No.3.

3. The present Petition was filed on merits of the matter. However, the parties have now settled the matter and they are seeking quashing of the said proceedings on the ground of settlement. The Petitioner No.1 was the husband of the informant – Respondent No.3 and the Petitioner No.2 is her sister-in-law. The investigation is over and the charge-sheet is filed.

4. The informant has stated in the FIR that she got married with the Petitioner No.1 on 13.12.2015. She started residing with the Petitioners and their parents but within a few months, all of them started taunting her. The husband wanted to start his own business and, therefore, he was harassing the informant to get financial help from her parents. The other Petitioners also used to harass her. There are allegations that the father-in-law had outraged her modesty. The Petitioner

No.1 had gone to Dubai for his work. The couple was blessed with a son. There are further allegations about their everyday quarrels and on these allegations, the FIR is lodged.

5. The investigation is carried out. The charge-sheet contains statements of mother and aunt of the first informant as well as other relatives of the first informant.

6. Now the matter is settled between the parties. The informant has filed her affidavit giving her clear no objection for quashing the proceedings. She is present before the Court. She is identified by her learned counsel. She reiterated the contents of the affidavit and she stated before the Court that she has no objection for quashing of the proceedings.

7. The dispute between the parties is purely personal in nature. The society at large is not involved. The parties have decided to settle the matter. No purpose would be served in continuing the prosecution. Therefore, we are inclined to allow this Petition.

8. Hence, the following order:

:: O R D E R ::

- i. The FIR being C.R. No.833/2021 registered with MIDC Police Station, Mumbai as well as the consequential proceedings being Criminal Case No.1077/PW/2023 pending before the Additional Chief Judicial Magistrate, 22nd Court, Andheri West, Mumbai, are quashed and set aside.
- ii. The Petition is disposed of accordingly.

(S.M. MODAK, J.)

(SARANG V. KOTWAL, J.)

Deshmane (PS)