

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 3948 OF 2024

Yash Prakash Bohra & Ors.

... Petitioners

V/s.

The State of Maharashtra & Anr.

... Respondents

Mr. Omprakash Pandey a/w Ms. Suchita Pandey, Ms. Pramila Prajapati, for Petitioners.

Mr. Ashish I. Satpute, A.P.P. for Respondent No.1-State.

Mr. Dharmendra Damani, for Respondent No.2.

Mr. G.R. Phad, PSI attached to Dahisar Police Station.

**CORAM : A. S. GADKARI AND
RAJESH S. PATIL, JJ.**

DATE : 18th August, 2025.

P.C. :

1) Leave to amend to incorporate challenge to C.C. No. 4060/PW/2024 in the prayer clauses, granted. Amendment be carried out during the course of the day.

2) Husband (Petitioner No.1), father-in-law (Petitioner No.2), mother-in-law (Petitioner No.3) and sister-in-law (Petitioner No.4) of Respondent No.2 have filed this Petition under Article 226 of Constitution of India, for quashing of C.C. No. 4060/PW/2024, pending on the file of 26th Judicial Magistrate First Class, at Borivali, Mumbai, arising out of CR No.0110 of 2024, dated 2nd January, 2024, registered with Dahisar Police Station, Mumbai, under Sections 498A, 341, 323, 504, 506, 406 read with 34 of the Indian Penal Code, with the consent of Respondent No.2, the informant.

3) Learned Advocate Mr.Damani appearing for Respondent No.2 tendered across the bar her Affidavit dated 18th August, 2025, duly affirmed before a Notary Public. In paragraph No.2 thereof, it is stated that, the Applicant No.1 and Respondent No.2 have already taken divorce on 5th May, 2025, before the Personal Status Court, Dubai, United Arab Emirates, under Certificate of Separation No.2025/M/671, in accordance with Federal Decree Law No.2022/41 regarding Personal Status matters for Non-Muslims & have also submitted a Family Agreement dated 4th March, 2025, under File No.2025/36, to be treated as consent terms filed therein which both of them agreed to abide. The copy of said separation Order and other relevant documents are annexed to the said Affidavit. In paragraph No.3 thereof, the Respondent No.2 has stated that, she has no objection if the present Application is allowed and the crime is quashed and set aside and all the Petitioners are discharged/acquitted from the said case.

3.1) Respondent No.2 is personally present in the Court and through her Advocate reiterates the contents of her Affidavit dated 18th August, 2025 and her 'No Objection' for quashing of the crime in question.

4) In view of the above, Petition is allowed in terms of prayer clause (b) and amended prayer clause (b-1).

(RAJESH S. PATIL, J.)

(A.S. GADKARI, J.)