

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

CRIMINAL WRIT PETITION NO.3982 OF 2024

Naseem Bano Hanif Shaikh
and another

.....Petitioners

Versus

The State of Maharashtra
and another

.....Respondents

.....

WITH

CRIMINAL WRIT PETITION NO.1598 OF 2025

Shajad Hanif Shaikh

.....Petitioner

Versus

The State of Maharashtra
and another

.....Respondents

Mr. Shadab Khopekar, Advocate for the Petitioners in both WPs.

Mr.Y.M. Nakhwa, APP for the Respondent No.1-State in
WP/3982/2024.

Mr. J.P. Yagnik, APP for the Respondent No.1-State in
WP/1598/2025.

Mr. Ronak A. Shah, Advocate a/w. Ansu D. Jaiswal for the
Respondent No.2 in WP/3982/2024.

Miss Ansu D. Jaiswal, Advocate a/w. Ronak A. Shah for the
Respondent No.2 in WP/1598/2025.

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

DATE : 28th MARCH, 2025

PC. :

1. Both these Petitions are decided by this common order

because they arise out of the same subject matter. The Petitioners

have prayed for quashing of the FIR registered vide C.R. No.462/2024 registered at Mumbra Police Station, Thane dated 30.1.2024 under Sections 323, 498-A, 504, 504 read with 34 of IPC as well as the consequent criminal prosecution.

2. The FIR is lodged by the first informant, who is the Respondent No.2 in both these Petitions. The Petitioner in Criminal Writ Petition No.1598/2025 is her husband. The Petitioner No.1 in Criminal Writ Petition No.3982/2024 is her mother-in-law and the Petitioner No.2 is the wife of brother of her husband.

3. The investigation is over and the charge-sheet is already filed. It is not necessary to refer to the allegations in the charge-sheet and the FIR in detail because the parties have now settled the matter.

4. Heard learned counsel for the parties.

5. The gist of the FIR is that the Respondent No.2 got married with the Petitioner Shajad on 16.12.2022. His elder brother Taushif was working in Dubai. The informant started residing with the Petitioners herein and other family members. At the time of marriage, the informant's mother had given her ornaments and the

household articles. The FIR thereafter goes on to mention different incidents when the informant was ill-treated and harassed on petty issues. The Petitioners used to find fault in every household work she was doing. She was not treated properly. She was ill-treated and harassed continuously. The husband wanted divorce from her. She was not allowed to enter her matrimonial house. She started residing with her mother from September, 2023. The Petitioners retained her ornaments and other articles. On these allegations, the FIR is lodged. The investigation was carried out and the charge-sheet was filed. The charge-sheet contains the statements of the mother and other relatives of the first informant. They have supported the allegations in the FIR.

6. The parties have now settled the matter. The Respondent No.2 has filed her affidavit of consent. She has stated that the FIR was registered in the heat of moment because of misunderstanding. She has stated that she has no objection for quashing of the criminal prosecution.

7. The Respondent No.2 is present in the Court. She is identified by her learned counsel. She stated before the Court that

she has no objection for quashing of the present FIR and the criminal proceedings.

8. The dispute between the parties is purely personal in nature. The society at large is not involved. The dispute is now settled to the satisfaction of the Respondent No.2. No purpose would be served by continuing with the criminal prosecution. Therefore, we are inclined to allow these Petitions.

9. Hence, the following order:

:: O R D E R ::

- i. The FIR being C.R. No.462/2024 registered at Mumbra Police Station, Thane as well as the consequent criminal prosecution, are quashed and set aside.
- ii. Both the Petitions are disposed of accordingly.

(S.M. MODAK, J.)

(SARANG V. KOTWAL, J.)