

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

CRIMINAL WRIT PETITION NO.4201 OF 2024

Ilyas Mohd. Gaus Shaikh
and another

.....Petitioners

Versus

The State of Maharashtra
and another

.....Respondents

Ms. Anita Dubey, Advocate for the Petitioners.

Mr. S.V. Gavand, APP for the Respondent No.1-State.

Ms. Bhagyashree Upadhyay, Advocate for the Respondent No.2.

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

DATE : 08th APRIL, 2025

P.C. :

1. This is a Petition for quashing of the proceedings in respect of C.C. No.190/PW/2024 pending before the J.M.F.C., 4th Court, Girgaon, Mumbai arising out of C.R. No.64/2024 dated 21.2.2024 registered at Tardeo police station, Mumbai under Section 498-A, 323, 504 read with 34 of IPC.

2. Heard Ms. Anita Dubey, learned counsel for the Petitioners, Mr. S.V. Gavand, learned APP for the Respondent No.1-State and Ms. Bhagyashree Upadhyay, learned counsel for

the Respondent No.2.

3. The FIR is lodged by the Respondent No.2. The Petitioner No.1 was her husband and the Petitioner No.2 was her father-in-law. It is not necessary to refer to the allegations in the FIR in detail because the parties have settled the matter. The Respondent No.2 got married with the Petitioner No.1 on 14.1.2022. She started residing in the matrimonial house. Within a few days her in-laws started ill-treating her. There are allegations that she was suspecting that the Petitioner No.1 was having extra-marital relationship. When she questioned the Petitioner No.1, he assaulted her. The ill-treatment at the hands of both the Petitioners continued. There was demand of car and money. On these allegations, the FIR is lodged.

4. Now the matter is settled between the parties. The Respondent No.2 has filed her affidavit. She has stated in her affidavit that the matter is amicably settled between the parties. The parties have obtained divorce/*khula nama* by mutual consent. She has given her specific no objection for quashing of the present proceedings.

5. The Respondent No.2 is present in the Court. She is identified by her learned counsel. She reiterated the contents of the affidavit. She has stated before the Court that she has no objection if the proceedings are quashed.

6. Considering that the dispute between the parties was purely personal in nature and it was amicably settled. Therefore, we are inclined to allow this Petition.

7. Hence, the following order:

:: O R D E R ::

- i. The FIR being C.R. No.64/2024 registered at Tardeo police station, Mumbai as well as the consequent criminal proceedings being C.C. No.190/PW/2024 pending before the J.M.F.C., 4th Court, Girgaon, Mumbai, are quashed and set aside.
- ii. The Petition is disposed of accordingly.

(S.M. MODAK, J.)

(SARANG V. KOTWAL, J.)

Deshmane (PS)