

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

CRIMINAL WRIT PETITION NO. 4479 OF 2024

1. Piyush Ambaramji Choudhary
2. Ambaram Laxmanramji Choudhary
3. Jamnadevi Ambaram ChoudharyPetitioners

Versus

1. The State of Maharashtra
2. Dr. Sangeetakumari Piyush Choudhary.Respondents

Mr. Piyush Toshnival (appeared through VC) i/by Ashish P. Pawar - Advocate for the Petitioners.

Mr. Y. M. Nakhwa - APP for the Respondent-State.

Mr. Amit Icham – Advocate for Respondent No. 2.

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

DATE : 04th FEBRUARY 2025

P.C. :

1. This is a petition for quashing of the F.I.R. registered vide C.R. No. 373 of 2024 dated 19.08.2024 at Ichalkaranji Police Station under Sections 498-A, 377, 354, 406, 427, 504, 506 read with 34 of the Indian Penal Code.

2. Heard learned Counsel for the Petitioners, learned Counsel for the Respondent No. 2 and learned APP for the Respondent No. 1-State.

3. The F.I.R. is lodged by Respondent No. 2. She has stated that she got married with the Petitioner No. 1 on 23.06.2018 at Rajasthan. The other two Petitioners are his parents. The F.I.R. thereafter describes that there was physical incompatibility between them and even then the Petitioner No. 1 used to force himself. There are allegations that other Petitioners took his side and did not help her. They also harassed her. There are allegations that Petitioners had demanded Rs. 2 Crore for purchasing a bungalow. There are some allegations of issuing threats.

4. It is not necessary to go in the details of these allegations because the Parties have now settled the matter and they have even obtained divorce by mutual consent. Both the Parties want to live their separate lives forgetting the past. The Respondent No. 2 has filed her affidavit giving her consent to quash this proceeding. There is specific reference in paragraph

no. 3 that she had no objection if relief is granted in this petition and she does not want to prosecute the petition.

5. The Respondent No. 2 has appeared through Video conferencing. Her learned counsel identified her. On specific question put to her, she stated before the Court that she really wanted that the prosecution is quashed and set aside. She submitted that she has no grievance against the Petitioners even in respect of the threats and photographs which she had mentioned in the F.I.R..

6. Considering the situation, it is quite clear that dispute is between the erstwhile husband and wife. The society in general is not involved. The Respondent No. 2 has given her specific no objection, and she insisted that the present petition be allowed. Considering this situation the present petition is allowed. Hence, the following order :-

ORDER

(i) Writ Petition is allowed.

(ii) The F.I.R. registered vide C.R. No. 373 of 2024
with the Ichalkaranji Police Station, dated

19/08/2024 under Sections 498-A, 377, 354, 406, 427, 504, 506 read with 34 of the Indian Penal Code and consequent proceedings are quashed and set aside.

7. Accordingly, Writ Petition is disposed of.

(S.M. MODAK, J.)

(SARANG V. KOTWAL, J.)