

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

CRIMINAL WRIT PETITION NO. 4580 OF 2024

Sachin Sopanrao Sonune and Ors.

.... Petitioners

V/s.

The State of Maharashtra and anr.

.... Respondents

Mr. Shashikant P. Chaudhari i/b. Legal Vision for the Petitioners.

Ms. Sangeeta Shinde, APP for the Respondent – State.

Mr. Manoj Kumar Singh, Ms. Anjali Tripathi and Mr. Amit Kumar Singh for Respondent No.2.

Mr. P.A. Salvi, PSI, Dahisar Police Station, present.

**CORAM : BHARATI DANGRE &
SHYAM C. CHANDAK, JJ.**

DATED : 23rd DECEMBER, 2025

P.C. :-

1) At the outset, learned Counsel for the Petitioners seeks liberty to amend the prayer clause (a) of the Petition.

Permission granted. Amendment is permitted to be carried out forthwith. Re-verification is dispensed with.

2) Present Petition is filed for quashing and setting-aside of the Criminal Case No.CC/3623/PW/2025 pending before the learned JMFC, Borivali, Mumbai as well as C.R.No.216/2023 registered with Dahisar Police Station, Mumbai on 24/02/2023, by the Complainant - Swati Sachin Sonawane who was married to Respondent No.1 in the year 2007.

In the wake of the accusations levelled in the complaint that he

along with his relatives, subjected her to physical and mental harassment.

3) We are informed that on completion of the investigation, charge-sheet has been filed but the Petitioners are not served with a copy of charge-sheet and therefore, he has not placed the same on record. However, we accept the statement of the learned APP that the charge-sheet is filed in the subject C.R.No.216/2023.

4) During the pendency of the proceedings, the Respondent No.2 has filed an Affidavit affirmed on 09/12/2024 according her no objection to quash the subject FIR in the wake of she settling the dispute with her husband by entering the consent terms and stating that she is not desirous of prosecuting the Petitioners.

In the said affidavit, the deponent also stated that she had filed Divorce Petition in the Family Court at Bandra for dissolution of marriage and the consent terms were drawn between the parties and presented before the Family Court, Bandra, Mumbai on 06/09/2023 pursuant to which, Divorce Petition No.A-2249/2021 was converted into a mutual consent proceedings and is also disposed of on 06/09/2023 by the Family Court, Bandra.

The affidavit also state that in terms of clause (iv) of the consent terms filed before the Family Court, the Petitioner No.1 had paid Rs.2,00,000/- by way of permanent alimony in lieu of her past, present and

future claim and she has received the demand draft.

5) In the wake of the aforesaid arrangement being worked out, the Respondent No.2 make a categorical statement in the affidavit to the following effect :-

“ 7. Both parties hereby mutually agreed that the Petitioner undertake to withdraw/quashing a Police Complaint i.e., FIR No.0216 filed by her against the Respondent, his mother and two married sisters under Section 323, 34, 406, 498-A, 506, 506 of IPC in Dahisar Police Station after passing the Divorce Decree. The Petitioner further undertakes to file a proceedings before the Hon'ble High Court, Bombay, Mumbai for withdraw/quashing of the FIR No.0216 filed against the Respondent and his family members and the expenses for the proceedings will be barred by the Petitioner.

8. The Petitioner undertake that before filing of the Consent Term to inform in writing to the Dahisar Police Station regarding withdrawal of all allegations made by her in police Station against :-

1. Sachin Sopanrao Sonune (Respondent)
2. Salini Sonune (Mother of Respondent)
3. Sunita Pawar (Married Sister of Respondent)
4. Geeta Korde (Married Sister of Respondent) ”

6) Respondent No.2 is also present in the Court and her identity is established by the Counsel representing her. When inquired, she confirmed the contents of the affidavit which is in accordance with the consent terms that were executed between the parties before the Family Court at Bandra in Divorce Petition No.A-2249/2021.

7) In the wake of the aforesaid, since the marital discord between the parties is resolved mutually and the parties have decided to go their own way as they have also dissolved the marriage and the no objection accorded by

Respondent No.2 to quash the FIR and the subsequent proceedings, in the wake of her affidavit and the amicable settlement arrived between the parties, the Petition is made absolute.

The Criminal Case No.CC/3623/PW/2025 pending before the learned JMFC, Borivali, Mumbai arising out of C.R.No.216/2023 registered with Dahisar Police Station, Mumbai as well as the consequential proceedings thereof, including filing of the charge-sheet, are quashed and set-aside *qua* the Petitioners.

(SHYAM C. CHANDAK, J.)

(BHARATI DANGRE, J.)

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HEERO
JAYANI

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