

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

Writ Petition No. 5024 of 2024

Danish Imtiyaz Dandekar & anr. ... Petitioners
V/s.
State of Maharashtra & anr. ... Respondents.

Ms. Tuba Khan i/b. Kalim Ansari for the Petitioners.

Ms. Mohsina Khan for the Respondent No.2.

Ms. M.M. Deshmukh, APP for the State.

Mr. Navnath Shinde, PSI, Oshiwara Police Station present.

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

DATE : 25th April 2025.

P.C.:

By this petition the Petitioners are praying for quashing of an FIR bearing No.521/2020 registered with Oshiwara Police Station on 30th October 2020 for the offences punishable under Sections 498-A,406,354,323,504,506 read with Section 34 of the Indian Penal Code.

2. The Respondent No.2 married with the Petitioner No.1 on 8th April 2018 as per the Shariyat Law. After marriage she started cohabiting with the Petitioner No.1 at Jogeshwari. Other Petitioners were also residing in the same house.

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3. The Petitioner Nos.2 and 3 are mother-in-law and brother-in-law respectively whereas Petitioner Nos. 4 to 6 are the sisters-in-law. It is her case that she was not having any freedom in the matrimonial house and she was being harassed for not bringing sufficient dowry. Even her articles were not handed over to her. It is her case that she was not being allowed to visit her parents' house. On 4th October 2020 when she returned to the matrimonial house, she was not allowed entry. Again on 20th October 2020 she tried to return to the matrimonial house, however, she was not allowed. She was beaten by one Kalim Khan.

4. On this background, the FIR came to be lodged. The charge-sheet is filed. It is annexed. There are statements of witnesses which are more or less on the same lines as per the version of the Respondent No.2

5. The Respondent No.2 has also filed proceedings as per the provisions of Domestic Violence Act. In the meantime, the dispute was settled by the relatives and family members and they have dissolved their marriage by 'Talaq'.

6. The Respondent No.2 does not want to continue the prosecution and by way of affidavit she has consented for quashing of the FIR. She is present today. She admitted her signature and contents of her affidavit. She is identified by her Advocate. No purpose will be served by keeping the prosecution pending. The

dispute is personal in nature. Hence, we are inclined to allow the petition and pass the following order:

ORDER

- (i) The Writ Petition is allowed.
 - (ii) The F.I.R. registered vide C.R. No.521/2020 registered with Oshiwara Police Station on 30th October 2020 for the offences punishable under Sections 498-A, 406, 354, 323, 504,506 read with Section 34 of the Indian Penal Code and the consequent proceedings are hereby quashed and set aside.
7. The Writ Petition stands disposed of accordingly.

(S.M. MODAK, J.)

(SARANG V. KOTWAL, J.)