

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

CRIMINAL WRIT PETITION NO.4059 OF 2023

Rajendraprasad Harigulam Singh and Anr. Petitioners

versus

The State of Maharashtra & Anr. Respondents

**WITH
CRIMINAL WRIT PETITION NO. 5372 OF 2024**

Brijbhushan Rajendra Prasand Singh Petitioner

versus

The State of Maharashtra & Anr. Respondents

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- Mr. Shyamrishi Pathak a/w. Jyoti R. Bardi a/w. Gayatri Pinkyar, Advocates for Petitioners in both Writ Petitions.
- Mr. S.V. Gavand, APP for the State/Respondent No.1 in WP 4059 of 2023
- Mr. Y.M. Nakhwa, APP for the State/Respondent No.2 in WP 5372 of 2024
- Mr. Rohit Yadav, Advocate for Respondent No.2.

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

DATE : 6 FEBRUARY, 2025

P.C. :

1. Both these Petitions are decided by this common order today because they are arising out of the same subject matter. The Petitioners in Criminal Writ Petition No. 4930 of 2023 are the parents of the husband of the Informant/Respondent No.2 and the Petitioner in Writ Petition No. 5372 of 2024 is the husband.
2. Heard Mr. Pathak, learned counsel appearing for the Petitioners in both the petitions, learned APPs for the State-Respondent No.1 and Mr. Rohit Yadav, learned counsel for the Respondent No.2.
3. The FIR is lodged at Ghatkopar Police Station vide C.R. No. 700/2021 on 17th August, 2021. It has resulted in Complaint Case No. 582/PW/2023 before the Learned Judicial Magistrate, First Class, 49th Court, Vikhroli. The Petitions are for quashing of these proceedings. The FIR is lodged by First Informant. She has stated that she got married with her husband in April, 2016. Her father gave gold ornaments and cash amount as well as a car to the Petitioners. Though the car was registered in the name of the Respondent No.2's father.

After the marriage, she started residing with the Petitioners. There are allegations that the husband who addicted to liquor and he had relations with other woman. The FIR mentions some incidents when the father in law allegedly outraged her modesty. The Informant was being harassed. The husband had gone to Doha for his job in 2019 and he came back in March,2020. But their relationship did not improve. Finally in October, 2020, the husband left the Informant at her parents' place and thereafter did not take back the Informant. The Petitioners left their house and did not contact the Informant. On these allegations, the FIR is filed. The investigation was carried and the charge-sheet was filed which contains statements of the Respondent No.2's parents. Now the the dispute is settled between the parties. The couple has decided to go their separate ways. They have preferred petition for divorce by mutual consent before the Family Court being Petition No. F-3598 of 2024. There is a reference of payment of Rs.21,00,000/- which was to be paid to the Informant. The Informant has filed two separate affidavits in these petitions and

given her specific no objections for quashing of the FIR in the Writ petitions. She is present in the Court. She is identified by her learned counsel. She has reiterated the she has no objection for quashing of the proceedings. She is stated before the Court that the entire amount of Rs.21,00,000/- is paid to her.

4. Considering that the dispute is clearly personal in nature. The society at large is not involved therein and therefore, there is no impediment in quashing the proceedings.

5. Hence, the following order:

(i) The proceedings being FIR No. 700 of 2021 registered with Ghatkopar Police Station, has resulted in Complaint Case No. 582/PW/2023 before the Learned Judicial Magistrate, First Class, 49th Court, Vikhroli are quashed and set aside.

(ii) Writ Petition No. 4059 of 2023 and Writ Petition No.5372 of 2024 are disposed of.

(S. M. MODAK, J.)

(SARANG V. KOTWAL, J.)