

Kishor

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

WRIT PETITION NO. 5420 OF 2024

Akshay Mukesh Kumar Talesara and Ors.

..Petitioners

Versus

State of Maharashtra and Ors.

..Respondents

Mr. Daljeet Singh Bhatia, Advocate for Petitioners.

Mr. S. R. Agarkar, APP for Respondent-State.

Mr. Amol Doijode a/w. Adv. Meezan Patel for Respondent No.2.

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

DATE :- 29th JANUARY 2025

P. C. :-

1. This petition is for quashing of the FIR bearing C.R. No.563 of 2022 dated 1st June 2022 registered at Andheri Police Station for the offences punishable under Sections 498(A), 406, 323, 506 r/w. 34 of the Indian Penal Code and Section 4 of Dowry Prohibition Act, 1961.

2. The FIR is lodged by the Respondent No.2. The Petitioner No.1 is her husband, Petitioner Nos.2 and 3 are his sisters and the Petitioner Nos.4 and 5 are his parents. The FIR mentions that the Respondent No.2 and Petitioner No.1 got engaged on 18th January

2014. The informant's father spent for all the expenses. He gave expensive gifts to the Petitioner No.1.

3. Within short time, quarrels started between the informant and the Petitioner No.1 in respect of their food habits, clothing, etc. They got married on 19th April 2014. At that time the informant received Stridhan from her family and from other relatives. The FIR thereafter goes on to mention the harassment caused to the informant. The main allegations are against the Petitioner No.1. There are certain allegations against other family members. Because of that harassment, on one occasion, she suffered abortion. On the next occasion she got pregnant and gave birth to a daughter. However, the harassment continued.

4. It is not necessary to go into the details of the allegations of the FIR because the parties have settled their disputes. We are informed that the Petitioner No.1 had preferred an Application for Anticipatory Bail in this connection. The matter was sent for mediation and mediation is successful. The parties have now resolved their disputes and have decided to separate amicably. The Respondent No.2 has filed her affidavit giving no objection for quashing of the FIR and the consequent proceedings. It is clearly

mentioned in the affidavit that the disputes are resolved and the fact is recorded in the consent terms dated 22nd July 2024. In paragraph Nos.5 and 6 she has given her consent for quashing of the present FIR.

5. The Respondent No.2 is present before the Court. She is identified by her learned counsel. She has reiterated contents of the affidavit before the Court and stated that she has no objection if the proceedings are quashed. The disputes and allegations are strictly personal in nature. The Society at large is not affected. Therefore, we are inclined to allow this petition. Hence, the order:

ORDER

(i) The FIR bearing C. R. No.563 of 2022 dated 1st June 2022 registered at Andheri Police Station for offences punishable under Sections 498(A), 406, 323, 506 r/w. 34 of the Indian Penal Code and Section 4 of Dowry Prohibition Act, 1961 and the consequent proceedings are quashed and set aside.

6. Writ Petition is disposed of.

(S. M. MODAK, J.)

(SARANG V. KOTWAL, J.)

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