

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

CRIMINAL WRIT PETITION NO. 5637 OF 2024

Mohd. Ibrahim Abdul Rahim Shaikh & Ors.Petitioners

Versus

The State of Maharashtra & Anr.Respondents

Ms. Feroza Anwar Shaikh, Advocate for the Petitioners.

Mr. S. R. Agarkar, A.P.P. for the Respondent-State.

Mr. Shabbir A. Shora a/w Mubbasheera Shiakh, Advocate for Respondent No. 2.

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

DATE : 10th FEBRUARY 2025.

P.C.:-

1. This is a Petition for quashing of the proceedings arising out of F.I.R. being C.R. No. 150 of 2021 dated 6th May 2021 registered with V. B. Nagar Police Station, Mumbai for the offence punishable under Sections 324, 323, 504 & 506 read with 34 of the Indian Penal Code, 1860 and the consequent proceedings arising out of the same.
2. Heard Ms. Feroza Anwar Shaikh, learned counsel for the Petitioners, Mr. S. R. Agarkar, learned A.P.P. for the Respondent-State and Mr. Shabbir A. Shora, learned counsel for Respondent

No. 2.

3. The F.I.R. is lodged by Respondent No. 2. Petitioner No. 1 is her husband; Petitioner No. 2 is her mother-in-law and Petitioner No. 3 is her sister-in-law. She has alleged in the F.I.R. that she got married with Petitioner No. 1 on 29th November 2020. Earlier she was suffering from Tuberculosis and she had told everything to Petitioner No. 1. But after marriage, on this count, Petitioner No. 1 used to ill-treat her and used to beat her. On 15th March 2021, the Petitioners and Respondent No. 2 were in their house. Petitioner No. 3 had visited their house. A quarrel started between them. Petitioner No. 1 assaulted her with a wooden block, by which she used to wash the clothes. Because of that she suffered injuries on her back and left leg. She raised shouts. When she went out of the house, all of them had threatened her. She took treatment at the government hospital at Santacruz, Mumbai. Then she went to her parents' place. After that she lodged the F.I.R.

4. Now the matter is settled between the parties. The charge-sheet has already been filed on record. Respondent No. 2 has filed her Affidavit-in-reply. In her Affidavit, she has stated

that with the help of common acquaintances and mutual friends, they have settled the dispute. She did not want to proceed with her complaint and did not intend to continue the prosecution of the Petitioners. She has no complaint against the Petitioners and she has no objection for quashing of the F.I.R.

5. Respondent No. 2 is present in the Court. She is identified by her learned counsel. She has reiterated the statements made in the Affidavit-in-reply. She insisted that the proceedings be quashed. The dispute between the parties is purely personal in nature. The injuries are minor. There is no point in continuing with these proceedings. Therefore, we are inclined to allow this Petition.

6. Hence, the following order :-

ORDER

The F.I.R. being C.R. No. 150 of 2021 dated 6th May 2021 registered with V. B. Nagar Police Station, Mumbai for the offence punishable under Sections 324, 323, 506 & 504 read with 34 of the Indian Penal Code, 1860 and the consequent proceedings arising out of the same, are quashed and set aside.

7. Petition is disposed of accordingly.

(S. M. MODAK, J.)

(SARANG V. KOTWAL, J.)

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KOTAWADEKAR

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