

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 299 OF 2025

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|----|--|---|
| 1. | Mohammad Faizan Razzak Memon |] |
| | Mohamed Faizan Memon |] |
| | Major in Age, 40 years, |] |
| | R/o. 803, R.A Appts, 1 st Floor, Madel, |] |
| | Fatorda Salcete-Goa. |] |
| 2. | Maimuna Parveen Razzak Memon |] |
| | Maimoona Parveen |] |
| | Major in Age 65 years, Occu.: Housewife, |] |
| | R/o. Bunglow No.1, Behind Ayodhya Co-op. |] |
| | Housing Society, Bolepand, Ambajim, |] |
| | Fatorda Salcete Goa. |] |
| 3. | Imran Razzak Memon |] |
| | Mohamed Imran Cutchi |] |
| | Major in Age 47 years, Occu.: Business, |] |
| | R/o. Bunglow No.1, Behind Ayodhya Co-op. |] |
| | Housing Society, Bolepand, Ambajim, |] |
| | Fatorda Salcete Goa. |] |
| 4. | Uzma Imran Memon |] |
| | Uzma Imran |] |
| | Major in Age 47 years, Occu.: Housewife, |] |
| | R/o. Bunglow No.1, Behind Ayodhya Co-op. |] |
| | Housing Society, Bolepand, Ambajim, |] |
| | Fatorda Salcete Goa. |] |

5. Asma Neelam Imtiyaz Jafferani,]
 Nilam Imtiaz Jaferani]
 Major in Age years,]
 R/o. Raheja Vista, Cloud 9, NIBM Pune]

...Petitioners
 (Ori. Accused)

V/s.

1. State of Maharashtra]
 At the instance of Sr. Inspector of Police,]
 Khadak Police Station, Pune.]
2. Afreen Faizan Memon]
 Age:- 33 years, Occu.:- Household]
 R/at 94, Apna Ghar CHS,]
 Pune 411 042.]

... Respondents
 (Res.No.2 Ori. Complainant.)

Mr. D.S. Mhaispurkar a/w Mr. Hrishikesh Pawaskar for Petitioners.
 Mr. Ajay Patil, A.P.P. for Respondent No.1-State.
 Mr. Shreyas Adyanthaya for Respondent No.2.

**CORAM : A. S. GADKARI AND
 RAJESH S. PATIL, JJ.**

DATE : 11th June 2025.

JUDGMENT (PER : A.S. GADKARI, J) :-

- 1) Rule. Rule made returnable forthwith and with the consent of
 learned Advocates for the respective parties, taken up for final hearing.

2) By this Petition under Article 226 of the Constitution of India, the husband (Petitioner No.1), mother-in-law (Petitioner No.2), Brother-in-law (Petitioner No.3), wife of Petitioner No.3 (Petitioner No.4) and sister-in-law (Petitioner No.5) of the Respondent No.2, are seeking quashing of criminal case bearing Sessions Case No. 368 of 2017, pending on the file of learned Sessions Judge at Pune, arising out of C.R .No. 33 of 2016 dated 30th January 2016, registered with Khadak police station, district Pune, under Sections 313, 406, 325, 498-A, 323, 504, 506 and 120-B read with 34 of the Indian Penal Code.

3) Mr. Mhaispurkar, learned counsel appearing for the Petitioners on instructions submitted that, initially the Petitioner Nos. 3 to 5 have filed Writ Petition No. 1556 of 2023, for quashing of crime. That, during the pendency of the said Petition, the Petitioners and Respondent No.2 decided to resolve their disputes and differences amicably. The Respondent No.2 has accordingly executed Settlement Agreement dated 27th September 2024 before a Notary Public.

3.1) He drew our attention to the said Settlement Agreement (page No. 110 to the Petition). He submitted that, Respondent No.2 i.e. the wife of Petitioner No.1 has also filed her Affidavit dated 27th January 2025, thereby giving her unequivocal consent for quashing of the said crime. The said Affidavit is annexed at page No. 134 to the Petition.

4) Mr. Adyanthaya, learned Advocate appearing for Respondent No.2 concedes to the fact of amicable settlement between the parties, execution of Settlement Agreement dated 27th September 2024 and the Affidavit-in-reply dated 27th January 2025 filed by the Respondent No.2, admitting amicable settlement between the parties and giving her consent for quashing of the said crime.

5) Respondent No.2 is personally present in the Court and through her Advocate admits the fact of the execution of the Settlement Agreement dated 27th September 2024 and affirmation of Affidavit dated 27th January 2025. In para Nos. 4 and 5 of the said Affidavit dated 27th January 2025, the Respondent No.2 has admitted the fact of execution of Settlement Agreement dated 27th September 2024 and has also given her consent of quashing of the crime in question.

6) After taking into consideration the inter-say relations between the parties herein as noted above and the fact that, Respondent No.2 has given her unequivocal consent for quashing of the said crime, we deem it appropriate to quash the said case in its entirety.

7) In view of the above, Petition is allowed in terms of prayer clause (a).

7.1) Rule is accordingly made absolute in the aforesaid terms.

(RAJESH S. PATIL, J.)

(A.S. GADKARI, J.)