

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

**CRIMINAL WRIT PETITION NO. 316 OF 2025**

1. Dilip Dhirajlal Sanghvi  
2. Mrs. Subhadra Dhirajlal Sanghvi  
3. Ms. Ashna Dilip Sanghvi .....Petitioners

Versus

1. The State of Maharashtra  
2. Pinky Ashok Mehta. ....Respondents

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Ms. Sneha Jethwa i/by Aakash Desai - Advocate for the Petitioners.  
Smt. M. M. Deshmukh - APP for the Respondent-State.  
Ms. Gayatri Gokhale – Advocate for Respondent No. 2.

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

**DATE : 21<sup>st</sup> FEBRUARY 2025**

**P.C. :**

1. This is a petition for quashing of the F.I.R. registered vide C.R. No. 699 of 2021, dated 02.10.2021 at D. B. Marg Police Station, Mumbai under Sections 498-A read with 34 of the Indian Penal Code and the consequent proceeding C.C. No. 528/PW/2021, pending before Metropolitan Magistrate, 18<sup>th</sup> Court, Girgaon, Mumbai.

2. The F.I.R. is lodged by the Respondent No. 2. The Petitioner No. 1 is her husband. The Petitioner No. 2 is his mother. The

Petitioner No. 3 is a daughter from his first marriage. The Respondent No. 2 in her F.I.R. dated 02.10.2021 has stated that the Petitioner No. 1 was previously married to one Purvi. In the year 2003, she had committed suicide. The Petitioner No. 1 had two daughters from that marriage. The Respondent No. 2 got married with the Petitioner No. 1 in the year 2013. She accepted the Petitioner No. 1 alongwith his two daughters from the first marriage. It is her case that the step-daughters never accepted her as their real mother. She has been deprived of love and affection.

3. The F.I.R. goes on to mention various allegations showing as to how she was ill-treated and harassed by all the family members. There are some allegations that the Petitioner No. 1 was more interested in the sister of his first wife. There is description of the different instances, wherein she was beaten by the Petitioner No. 1 and their family members. Ultimately, she left the Petitioner's house on 29.01.2021 and started residing with her parents. She lodged the F.I.R. Investigation was carried out. The charge-sheet contains the statements of her parents, sisters, husband of one of the sisters, friends and neighbours. All of them have supported her case as presented in the F.I.R..

4. Now the matter is settled between the parties. We are informed that the divorce petition by mutual consent is pending before the Family Court, Bandra. The Respondent No. 2 has filed her affidavit giving her specific consent for quashing of these proceedings. The Respondent No. 2 is present in the Court. She is identified by her learned counsel. She reiterated the averments in the affidavit. She stated before the Court that she has no objection if the proceedings are quashed. The dispute between the parties is purely personal in nature. The Society at large is not involved. Therefore, there is no impediment for quashing these proceedings. Hence, the following order :-

### **ORDER**

- (i) The Writ Petition is allowed.
- (ii) The F.I.R. registered against the present Petitioners vide C.R. No. 699 of 2021 at D. B. Marg Police Station under Sections 498-A read with 34 of the Indian Penal Code and the consequent proceedings bearing C.C. No. 528/PW/2021, pending before Judicial Magistrate First Class, 18<sup>th</sup> Court, Girgaon, Mumbai are quashed and set aside.

5. Accordingly, the Writ Petition is disposed of.

(S.M. MODAK, J.)

(SARANG V. KOTWAL, J.)