

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

CRIMINAL WRIT PETITION NO.726 OF 2025

1. Santosh Baburao Biradar	]
2. Pushpa Baburao Biradar	]
3. Ashok Baburao Biradar	]
4. Shree Devi Krishna Biradar	] .. Petitioners

Versus

1. The State of Maharashtra,	]
Through Kurar Police Station	]
2. Priya @ Kaveri Santosh <i>alias</i>	]
Priya @ Kaveri Prakash Guttedar	] .. Respondents

Mr. Rajendra P. Mishra, Advocates for the Petitioners.

Mr. J.P. Yagnik, Additional Government Pleader for Respondent No.1-State of Maharashtra.

Mr. Gaus Mohd. Shaikh, Advocate for Respondent No.2.

**CORAM : SHREE CHANDRASHEKHAR, CJ. &
GAUTAM A. ANKHAD, J.**

DATE : 2ND DECEMBER 2025.

PER, GAUTAM A. ANKHAD, J.

The present Writ Petition is filed under Article 226 of the Constitution of India and section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR and consequent charge-sheet filed before the learned Judicial Magistrate First Class, Borivali, Mumbai.

2. The marriage between the petitioner no.1 and the respondent no.2 was solemnised on 1st February 2017. Due to marital discord and differences, several disputes arose between the parties. On 1st February 2018, FIR was lodged at the instance of the respondent no.2 at Kurar Police Station for offences punishable under sections 498A, 406, 504, 506, 323 and 34 of the

Indian Penal Code, 1860. Pursuant to the same, charge-sheet bearing C.C. No.1290/PW/2019 is filed before the learned Judicial Magistrate First Class, Borivali. Apart from the present criminal proceedings, the respondent no.2 also initiated proceedings under the Protection of Women from Domestic Violence Act, 2005 and subsequently filed Criminal Appeal No.140 of 2022 before the learned Sessions Court, Dindoshi.

3. The parties have now settled the entire dispute between them amicably and filed Consent Terms in the pending Criminal Appeal No.140 of 2022. The parties have decided to separate from each other by dissolving their marriage by mutual consent. A payment schedule towards the payment of permanent settlement has also been agreed upon the parties and part payments have been made.

4. Mr. Shaikh, the learned counsel for the respondent no.2 has tendered an affidavit dated 11th June 2025 which records that the respondent no.2 has no objection to quashing of the criminal proceedings in view of the settlement reached between the parties. The respondent no.2 is present in the Court and identified by Mr. Shaikh. The respondent no.2 has affixed her signature and recorded her appearance in her own handwriting which shall form part of the proceedings.

5. The Hon'ble Supreme Court in "*Rangappa Javoor v. State of Karnataka*" 2023 SCC OnLine SC 1736 re-affirmed the well-settled position that the High Court may use its inherent powers to quash criminal proceedings arising from matrimonial disputes, provided it is satisfied that the parties have reached an amicable settlement, thereby securing the ends of justice. In the present case, the continuance of criminal proceedings would serve no

fruitful purpose. **Criminal Writ Petition No.726 of 2025 is allowed** in terms of prayer clause (a) which reads as under:

“(a) That by an appropriate order and direction of this Hon’ble Court, the petitioners’ FIR and charge-sheet may be quashed in C.R. No.63/2018 lodged in Kurar Police Station for the offence u/s. 498A, 406, 323, 504, 506 and 34 of IPC and charge-sheet bearing C.C. No.1290/PW/2019.”

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]