

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

CRIMINAL WRIT PETITION NO.730 OF 2025

Sachin Laxman Bhosale
and others

.....Petitioners

Versus

The State of Maharashtra
and another

.....Respondents

Ms. Trupti V. Chavan, Advocate for the Petitioners.

Mr. B.V. Holambe-Patil, APP for the Respondent No.1-State.

Mr. Nadeem A. Sheikh, Advocate for the Respondent No.2.

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

DATE : 17th FEBRUARY, 2025

P.C. :

1. This is a Petition for quashing of the FIR registered vide C.R. No.23/2019 at Samata Nagar Police Station, Mumbai dated 19.1.2019 under Sections 498-A, 406, 313, 323, 504, 506 read with 34 of IPC. The investigation was carried out and the charge-sheet is filed. The Petition is also for quashing of the proceedings pending vide No.5000/PW/2019 before the Judicial Magistrate, First Class, 17th Court, Borivali, Mumbai.

2. Heard Ms. Trupti Chavan, learned counsel for the

Petitioners, Mr. B.V. Holambe-Patil, learned APP for the Respondent No.1-State and Mr. Nadeem Sheikh, learned counsel for the Respondent No.2.

3. The FIR is lodged by the Respondent No.2. She has stated that she got married with the Petitioner No.1 on 26.12.2016. The Petitioner No.2 is his mother. The Petitioner No.3 is his brother, The Petitioner No.4 is his sister and the Petitioner No.5 is the husband of the Petitioner No.4. The FIR mentions that after the marriage, the mother-in-law removed her *stridhan* and kept it with herself. There are references to petty issues between the Respondent No.2 and the Petitioners' family. The Petitioner No.1 had not taken any steps for entering her name in the documents. There are some allegations in respect of the incidents which had taken place in April and May 2017 when she was threatened and was kept out of her matrimonial house. In May, 2017, she had become pregnant. It is her case that the Petitioner No.1 told her to get the procedure of Medical Termination of Pregnancy [MTP] done, if she wanted to stay with him. After the MTP, the Petitioner No.1 never inquired about her health. She was residing with her parents, but, he never bothered

to take her back to the matrimonial house. On these allegations, the FIR is lodged. The investigation was carried out and the charge-sheet was filed. The charge-sheet contains the statements of her brother, mother and sister. There is a statement of the medical officer who had conducted the MTP. She has stated that it was done with the informant's consent.

4. After all this, the matter is now settled between the parties. We are informed that initially the Petitioner No.1 had obtained divorce from the Respondent No.2; which she has challenged before another Division Bench of this Court and the matter is still pending. During pendency of that Appeal, the parties have arrived at a settlement and have decided to get divorce decree on mutual consent. The Respondent No.2 has filed her affidavit in these proceedings. She has given her specific no objection for quashing of these proceedings.

5. The Respondent No.2 is present before the Court. She is identified by her learned counsel. She reiterated the contents of the affidavit. She stated before the Court that she has no objection for quashing of these proceedings. The dispute between

the parties is purely personal in nature. The society at large is not involved. The parties have settled their disputes and have decided to part ways amicably. No purpose would be served in continuing the criminal prosecution. Therefore, we are inclined to allow this Petition.

6. Hence, the following order:

:: O R D E R ::

- i. The FIR registered vide C.R. No.23/2019 at Samata Nagar Police Station, Mumbai as well as the consequential proceedings being case No.5000/PW/2019 pending before the Judicial Magistrate, First Class, 17th Court, Borivali, Mumbai, are quashed and set aside.
- ii. The Petition is disposed of accordingly.

(S.M. MODAK, J.)

(SARANG V. KOTWAL, J.)