

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

**CRIMINAL WRIT PETITION NO.1030 OF 2025**

Kunal Bhore Joshi  
@ Kunal Gurunandan Joshi  
and others

.....Petitioners

Versus

The State of Maharashtra  
and another

.....Respondents

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Mr. Abhishek A. Gupta, Advocate for the Petitioners.

Mr. S.V. Gavand, APP for the Respondent No.1-State.

Mr. Umesh S. Iyer, Advocate i/b. Awadesh Dubey, Kshama Tiwari,  
Maria Shaikh, Sneha Mishra for the Respondent No.2.

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

**DATE : 24<sup>th</sup> MARCH, 2025**

**PC. :**

1. This is a Petition for quashing of the proceedings being Case No.PW/3163/2024 pending before the then 22<sup>nd</sup> Metropolitan Magistrate at Andheri (now J.M.F.C., Andheri) arising out of C.R. No.614/2023 registered at Andheri police station, Mumbai on 4.12.2023 under Sections 498-A, 406, 323, 504, 506 read with 34 of IPC. Though the charge-sheet is filed, it is not annexed to the Petition. However, there is no dispute that the main allegations are mentioned

in the FIR. It is not necessary to refer to the allegations in the FIR in detail because the parties have settled the matter.

2. The FIR is lodged by the Respondent No.2. The Petitioner No.1 is her husband, the Petitioner Nos.2 & 3 are his parents and the Petitioner No.4 is his sister. The FIR mentions that the Respondent No.2 got married with the Petitioner No.1 on 4.6.2021. The FIR thereafter goes on to mention that the Petitioner No.1 was highly diabetic and was unable to establish physical relations. There are allegations that the other Petitioners were ill-treating and harassing her. Her *stridhan* was also misappropriated. On these allegations the FIR is lodged.

3. However, now the matter is settled between the parties. The Respondent No.2 has filed her affidavit giving her consent. The affidavit mentions that the Respondent No.2 and the Petitioner No.1 have mutually and amicably settled the matter out of the Court. She was giving her consent and no objection for withdrawing this complaint and quashing this FIR.

4. The Respondent No.2 is present in the Court. She is identified by her learned counsel. She reiterated the averments in the

affidavit-in-reply. She stated before the Court that the settlement is arrived at to her satisfaction and she has no grievance. She has no objection for quashing of the present proceedings.

5. The dispute between the parties is purely personal in nature. The society at large is not involved. The parties have amicably settled the matter. No purpose would be served by continuing with the criminal prosecution. Therefore, we are inclined to allow this Petition.

6. Hence, the following order:

**:: O R D E R ::**

- i. The FIR being C.R. No.614/2023 registered at Andheri police station, Mumbai as well as the criminal prosecution arising therefrom being Case No. PW/ 3163/ 2024 pending before the then 22<sup>nd</sup> Metropolitan Magistrate at Andheri (now J.M.F.C., Andheri), are quashed and set aside.
- ii. The Petition is disposed of accordingly.

**( S.M. MODAK, J.)**

**(SARANG V. KOTWAL, J.)**

PRADIPKUMAR  
PRAKASHRAO  
DESHMANE

Deshmane (PS)

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