

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

Writ Petition No. 1036 of 2025

Chandradev Ratnadev Singh

And Ors.

... Petitioners

V/s.

The State Of Maharashtra And Anr.

... Respondents.

Adv. Rinky Kanojia i/by Juris Domain Law Firm – Advocate for
Petitioner.

Smt. M. H. Mhatre – APP for Respondent No. 1-State.

Mr. Rohan R. Jadhav a/w Rajendra H. Jadhav – Advocate for
Respondent No. 2

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

DATE : 5th March 2025.

P.C. :

This is the petition for quashing of C.R. No.351/2017 registered with RCF Police Station on 23rd December 2017 under Sections 498(A) read with Section 34 of Indian Penal Code and consequent Criminal Case No. 1074/PW/2018 pending before the Judicial Magistrate (First Class), 52nd Court, Kurla, Mumbai.

2. Heard Ms. Rinky Kanojia, learned Advocate for the Petitioner, Mrs. Mhatre, learned APP appearing for the State and Mr. Rohan Jadhav appearing for Respondent No.2.

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3. The FIR is lodged by the Respondent No.2 who is the wife of the Petitioner No.1. Petitioner No.2 was his father who has passed away. Petitioner No.3 is his mother. She is suffering from brain hemorrhage and is bed ridden. The FIR lodged by the Respondent No.2 mentions that she got married with Petitioner No.1 on 4th May 2003. They have two daughters. The FIR mentions that after the marriage the Petitioner started harassing her for dowry to the tune of Rs.50 lakhs. The demand was made by the mother-in-law and Petitioner No.1 supported her. In June 2003 the Petitioner told her that he wanted to marry someone else but he had got married with Respondent No.2 against his wish. The FIR goes on to mention various instances of ill treatment, beating, abusing Respondent No.2 by the Petitioners, however, it is not necessary to describe these incidents in detail because parties have now settled the matter. The investigation was carried out and charge-sheet was filed. The charge-sheet contains the statement of the Respondent No.2's daughter and other relatives. There is a statement of house maid. All these statements have supported their case in the FIR. However, now the matter is settled between the parties. The Respondent No.2 has filed her affidavit in which she has given her consent for quashing of the proceedings. The Consent Terms for Divorce by mutual consent are also executed. Copy of the same is annexed at Exhibit C to this application. The Respondent No.2 appeared through video conferencing before the Court. She was identified by her learned Counsel. She has mentioned in her affidavit that she is giving

consent for quashing of the proceedings. She also stated before the Court that she has no objection for quashing of the proceedings. The dispute between the parties is purely personal in nature. Parties have decided to part ways and settle the matter. The Petitioner No.2 is bed ridden. Petitioner No.1 has gone through tragedies as he has lost his father and his mother-Petitioner No.3 has suffered brain hemorrhage. The Society in general is not involved. The dispute between them is personal in nature. Therefore, in this background, we are inclined to allow this petition. No purpose will be served by continuation of the proceedings. Hence, the following order:

ORDER

(i) The Writ Petition is allowed.

(ii) The F.I.R. registered vide C.R. No.351 of 2017 dated 23rd December 2017 with RCF Police Station under Sections 498(A) read with Section 34 of Indian Penal Code and consequent Criminal Case No. 1074/PW/2018 pending before the Judicial Magistrate (First Class), 52nd Court, Kurla, Mumbai are hereby quashed and set aside.

4. The Writ Petition stands disposed of accordingly.

(S.M. MODAK, J.)

(SARANG V. KOTWAL, J)