

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

CRIMINAL WRIT PETITION NO.1069 OF 2025

Salman Hannan Reza & Ors.

.... Petitioners

versus

The State of Maharashtra & Anr.

.... Respondents

.....

- Mr. Zoheb Merchant, Advocate for Petitioners.
- Mr. J. P. Yagnik, APP for the State/Respondent.
- Mr. Galib Shaikh, Advocate for Respondent No.2.

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

DATE : 04th MARCH, 2025

P.C. :

1. This Petition is filed for quashing of the FIR registered vide C.R.No.269/2024 at Powai Police Station, on 17/03/2024 for commission of offence punishable u/s 498-A, 354-A, 323, 504, 506, 509 r/w 34 of the Indian Penal Code and u/s 4 of The Muslim Women (Protection of Rights on Marriage) Act, 2019. The investigation is over and the case is now pending before the Judicial Magistrate First Class, 66th Court, Andheri, vide case No.PW/3599/2024. A prayer is made for quashing of the entire proceedings.

2. Heard Mr. Zoheb Merchant, learned Counsel for the Petitioners, Mr. Galib Shaikh, learned counsel for the Respondent No.2 and Mr. J. P. Yagnik, learned APP for the State.
3. The FIR is lodged by the Respondent No.2. The Petitioner No.1 is her husband. The Petitioner Nos.2 and 3 are his parents. The Petitioner No.4 is his sister. The Petitioner No.5 is the husband of the Petitioner No.4. The Petitioner Nos.6, 7 and 8 are his brothers.
4. The FIR mentions that she got married with the Petitioner No.1 on 03/02/2019. The FIR thereafter goes on to mention various instances wherein she was ill treated and harassed for demand of money. The Petitioners wanted Rs.30 lakhs for the Petitioner No.1's business. She gave birth to her son on 19/10/2020. But the Petitioner did not contribute for the expenses of her delivery. They did not show happiness when she went to their native place at Bihar with the baby. There are allegations in the FIR that on one occasion, the Petitioner No.5 physically outraged her modesty. Since 2021, she along with her

son were residing with her parents. All the Petitioners continuously harassed, ill-treated and abused her. It is further alleged that the Petitioner No.1 uttered 'Talak' three times and declared that they were divorced. On these allegations, the FIR is lodged.

5. At the time of filing of the charge-sheet section 4 of The Muslim Women (Protection of Rights on Marriage) Act, 2019, was also added. However, now the matter is settled between the parties. The Respondent No.2 has filed her affidavit mentioning that the dispute between her and the Petitioner is amicably settled and that she was giving her consent and no objection for quashing of the FIR. The Respondent No.2 is present in the Court. She is identified by her counsel. She told the Court that she has no objection for quashing the FIR.

6. The dispute between the parties is purely personal in nature. The matter is amicably settled between the parties. No purpose will be served in continuing with the prosecution. Therefore, we are inclined to allow this Petition.

7. Hence, the following order :

ORDER

- (i) The FIR registered vide C.R.No.269/2024 at Powai Police Station and the further proceedings arising out of the said FIR, are quashed and set aside.
- (ii) The Petition is disposed of.

(S. M. MODAK J.)

(SARANG V. KOTWAL, J.)