

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

CRIMINAL WRIT PETITION NO. 1523 OF 2025

1. Nitin Dhirendra Pandey
2. Mrs. Shobhavati Dhirendra Pandey
3. Mr. Akhilesh Dhirendra Pandey
4. Mrs. Purnima Akhilesh PandeyPetitioners

Versus

1. State Of Maharashtra
2. Mrs. Pratiksha Nitin PandeyRespondents

Ms. Kavita Nadar - Advocate for the Petitioners.

Smt. M. H. Mhatre - APP for the Respondent-State.

Ms. Anjali Tiwari i/by AVC and Associates – Advocate for Respondent No. 2.

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

DATE : 27th MARCH 2025

P.C. :

1. This petition is filed on behalf of the Petitioner No. 1-husband, in-laws and sister-in-law for quashing of the F.I.R. bearing C.R. No. 140 of 2021. It is registered at Mira Road Police Station for offence punishable under Sections 498-A, 354, 406, 323, 504, 506, 507 read with 34 of the Indian Penal Code.

2. The marriage in between the Petitioner No. 1 and Respondent No. 2 took place on 24.05.2014 as per their personal law. Both of them have cohabited at Kandivali. They have co-habited till 30.06.2016. When the Respondent No. 2 returned to the matrimonial house, she was not allowed to enter the matrimonial house. It is her allegation that the Petitioners harassed her mentally and physically. There is allegation about consuming liquor by the husband. There is allegation of physical assault also. There is allegation against all other relatives. Even they have not helped the Respondent No. 2, while going to the Doctor for some treatment. She was going alone. She was forced to go to her parents house on 03.05.2016. On this background, the F.I.R. came to be registered. Even the Petitioner No. 1 has issued notice to the Respondent No. 2 in the month of July 2017.

3. After filing of the F.I.R., the Police have also filed the charge-sheet and during pendency of this proceeding, both the spouses have decided to settle their dispute and to separate themselves. There is petition for divorce before the Family Court filed by Petitioner No. 1. Now they have decided to convert it into mutual consent divorce petition. They have also entered into consent terms and decided to

go ahead with the settlement. The Respondent No. 2 is present in the Court and she has filed her affidavit. She has given her consent for quashing of the F.I.R.. She is identified by her counsel and she has admitted her consent terms.

4. The dispute is personal in nature. For their betterment, we find it necessary to quash the proceeding and consequent proceedings. In view of that following order :-

ORDER

- (i) The Writ Petition is allowed.
 - (ii) The F.I.R. registered vide C.R. No. 140 of 2021 with the Mira Road Police Station under Sections 498-A, 354, 406, 323, 504, 506, 507 read with 34 of the Indian Penal Code and the consequent proceedings are hereby quashed and set aside.
5. Accordingly, the Writ Petition is disposed of.

(S.M. MODAK, J.)

(SARANG V. KOTWAL, J.)