

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1549 OF 2025

Manjit Tarkeshwar MisraPetitioner
Versus
The State of Maharashtra
and anotherRespondents

Mr. Darshan Naik, Advocate for the Petitioner.
Ms. M.H. Mhatre, APP for the Respondent No.1-State.

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

DATE : 09th MAY, 2025

P.C. :

1. This matter is moved by learned counsel for the Petitioner for speaking to the minutes for correction of a typographical error in the order dated 28.3.2025. In the first paragraph and in the operative portion of said order, the C.R. number is mentioned as 'C.R. No.I-233/2025', however, the correct number is 'C.R. No.I-233/2015'.

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2. This is a typographical error. The order dated 28.3.2025 shall be corrected to the aforesaid extent only. The rest of the order shall remain as it is. The corrected order shall be uploaded with this order.

(S.M. MODAK, J.)

(SARANG V. KOTWAL, J.)

CORRECTED ORDER DATED 28.3.2025 READS THUS :

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.....Respondents

Mr. Darshan Naik, Advocate a/w. Reshma Shirke, Gopalkrishna Naik, Kamlakar Dalvi, Junjan Arekar for the Petitioner.

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

Ms. Sonika K. Dubey, Advocate for the Respondent No.2.

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

DATE : 28th MARCH, 2025

P.C. :

1. This a Petition for quashing of the FIR registered at Navghar police station, Mira Bhayandar vide C.R. No.I-233/2015 dated 10.9.2015 under Sections 498-A, 406, 323, 504, 506 read with 34 of IPC.

2. Heard Mr. Darshan Naik, learned counsel for the Petitioner, Smt. M.H. Mhatre, learned APP for the Respondent No.1-State and Ms. Sonika Dubey, learned counsel for the Respondent No.2.

3. The Petition is filed by the husband of the Respondent No.2. The matter is settled between the parties and the Respondent No.2 has filed her affidavit giving consent to quash the entire proceedings even against the other two accused who are named in the FIR, but, who have not approached the Court.

4. The FIR mentions that the Respondent No.2 got married with the Petitioner on 28.5.2013. After the marriage, her father-in-law started taunting her on the ground that she

had not given sufficient dowry. The sister-in-law also used to taunt her regarding her education and looks. Her husband used to ignore all this harassment. On one occasion, when she had gone to her parents' house, the husband did not take her back for about six months. Instead, the father-in-law and the mother-in-law demanded gold ornaments. There are certain allegations in respect of the incidents which had taken place in June, 2015. It is not necessary to refer to these allegations in detail because the parties have settled the matter.

5. The Respondent No.2 has filed her affidavit mentioning that she was giving her consent to quash the FIR against all the accused persons namely Manjit Tarkeshwar Mishra (the Petitioner herein), Priti Tarkeshwar Mishra and Tarkeshwar Shivnath Mishra..

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

7. The dispute between the parties is purely personal in nature. It is pending since 2015. The parties have settled their disputes. No purpose would be served by continuing with the present criminal prosecution. It would be in the best interest of the parties that the FIR and the proceedings arising therefrom are quashed. Therefore, we are inclined to allow this Petition.

8. Hence, the following order:

:: O R D E R ::

- i. The FIR being C.R. No.I-233/2015 registered at Navghar police station, Mira Bhayandar as well as the consequent proceedings arising therefrom, are quashed and set aside.
- ii. The Petition is disposed of accordingly.

(S.M. MODAK, J.)

(SARANG V. KOTWAL, J.)