

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

CRIMINAL WRIT PETITION NO.1567 OF 2025

Vikrant Gopal Nagpurkar & Anr. Petitioners

versus

The State of Maharashtra & Anr. Respondents

.....

- Mr. Pradeep Mishra, Advocate for Petitioners.
- Mr. J. P. Yagnik, APP for the State/Respondent.

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

DATE : 07th MAY, 2025

P.C. :

1. This is a Petition for quashing of the proceedings pending vide R.C.C.No.863/2023 before the Judicial Magistrate First Class, Kalyan, arising out of C.R. No.150/2023 registered at Tilak Nagar Police Station on 23/07/2023 u/s 498-A, 504 r/w 34 of the Indian Penal Code.

2. Heard Mr. Pradeep Mishra, learned Counsel for the Petitioners and Mr. J. P. Yagnik, learned APP for the State.

3. The Petitioner No.1 is the informant's husband and the Petitioner No.2 is her mother-in-law. The charge-sheet is not annexed to this Petition, but it is produced for our perusal. It is taken on record and marked 'X-Collectively' for identification. The allegations need not be discussed in detail because the parties have now settled the dispute.
4. The gist of the FIR is that the informant got married with the Petitioner on 07/06/2021. At that time, both the families had spent half of the expenses during the wedding. The informant's family had given some ornaments. There are allegations that the informant and the Petitioner No.1 did not have physical relations. The Petitioners used to ill-treat the informant. On 23/12/2022 when she had gone to the Petitioners home town at Nagpur, where her father-in-law was not well, she was not treated properly and was not accepted in their house. She went back to reside with the parents at Dombivali. Thereafter there was no co-habitation. On these allegations the FIR is lodged.

5. The charge-sheet contains the statements of the informant's mother, aunt and uncle. They have supported the allegations in the FIR. The Respondent No.2 has filed her affidavit. She has stated that there was marital dispute because of which this case is filed. She has further stated that she has realized that in order to avoid long litigation procedure it is better to start her life afresh. It was necessary to seek divorce by mutual consent. She has given her consent and no objection for quashing of the present proceedings. The Respondent No.2 is present before the Court. Her Advocate is not present as he is busy in another Court. However, the learned counsel for the Petitioners identified her. She stated before the Court that she had filed this affidavit voluntarily and she has reiterated the averments made in the affidavit. She stated before the Court that she has no objection for quashing of the proceedings.

6. The dispute is purely personal in nature. The informant has decided to settle the dispute and not to prosecute the Petitioners any further. No purpose will be served in keeping the prosecution alive. Therefore, we are inclined to allow this Petition and hence the order :

ORDER

- (i) The FIR vide C.R. No.150/2023 registered at Tilak Nagar Police Station and the further proceedings, i.e. R.C.C.No.863/2023 pending before the Judicial Magistrate First Class, Kalyan, are quashed and set aside.
- (ii) The Petition is disposed of.

(S. M. MODAK J.)**(SARANG V. KOTWAL, J.)**