

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

CRIMINAL WRIT PETITION NO. 1762 OF 2021

Abhishek Rajan MehraPetitioner

Versus

1. The State of Maharashtra and
2. Sakshi Abhishek MehraRespondents

**ALONGWITH
CRIMINAL APPLICATION (ST) NO. 17878 OF 2021**

Neena Rajan MehraApplicant

Versus

1. The State of Maharashtra and
2. Sakshi Abhishek MehraRespondents

**ALONGWITH
CRIMINAL WRIT PETITION NO. 1575 OF 2025**

1. Rajan Premkrishan Mehra
2. Amit Rajan Mehra
3. Ekta Nikhilesh JainPetitioners

Versus

1. The State of Maharashtra
2. Mrs. Sakshi Abhishek MehraRespondents

Adv. Drishti Singh a/w Adv. Waseem Pangarkar i/by MZM Legal -
Advocate for the Petitioners/Applicant in all matters.

Mr. J. P. Yagnik - APP for the Respondent-State in WP 1762 of 2021.

Mr. S. V. Gavand – APP for Respondent-State in APL/ST 17878 of
2021.

Mr. B. V. Holambe-Patil – APP for Respondent-State in WP 1575 of
2025.

Mr. Tahir Prande i/by Juris Consillis – Advocate for Respondent No. 2 in all matters.

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

DATE : 25th MARCH 2025

P.C. :

1. All these petitions/application are disposed of by this common order today, because they are arising out of the same proceeding. The Respondent No. 2 informant is common.

2. In Criminal Writ Petition No. 1762 of 2021, the Petitioner is her husband. In Criminal Writ Petition No. 1575 of 2025, the Petitioners are her father-in-law, brother-in-law, and the sister-in-law respectively and in Criminal Application (ST) No. 17878 of 2021, the Applicant is her mother-in-law. In all these matters, the prayer is for quashing of the proceeding arising out of C.R. No. 55 of 2020 registered at Agripada Police Station on 09.02.2020 under Section 498-A read with 34 of the Indian Penal Code. It has resulted in C.C. No. 277/PW/2022 before the Judicial Magistrate, First Class, 46th Court, Mazgaon, Mumbai. The prayer is for quashing of the entire proceedings. The investigation is over and the charge-sheet is filed.

The F.I.R. is lodged by the Respondent no. 2 as mentioned earlier. It is not necessary to record all the allegations referred in the F.I.R. in detail, because the Parties have settled their dispute.

3. First Informant got married with the Petitioner-Abhishek on 21.05.2017. It is her case that her parents had given ornaments and articles of more than Rs. 2,72,00,000/-. There are allegations that she was continuously ill-treated and harassed by all the Applicant/Petitioners. The parents of the husband were residing at Cuffe Parade, but they used to visit the informant's matrimonial home. The brother-in-law used to stay with the informant and her husband. At that time, he used to ill-treat and harass the informant. The Sister-in-law used to continuously taunt her with reference to the expenditure spent by her father which according to the Petitioners/Applicant was much less. There are various other allegations. It is also alleged that she was continuously kept under watch either by their servant or by keeping their other family members at home. On this basis, the F.I.R. is lodged. Investigation was carried out. The charge-sheet contains statements of the mother, sister and other relatives of the first informant. They have supported the allegations in the F.I.R..

4. Now the matter is settled between the Parties. The Respondent No. 2 has filed her affidavit giving her consent for quashing of these proceedings. She had also initiated the proceeding under the provisions of Protection of Women from Domestic Violence Act. Those proceedings are withdrawn. The Respondent No. 2 and the Petitioner -Abhishek have filed a petition for divorce by consent. In her affidavit, the informant has stated that she has no objection for quashing of the present proceeding. She is present in the Court. She is identified by her learned Counsel. She has specifically stated before the Court that she has no objection for quashing of the proceedings.

5. The dispute between the Parties was purely personal in nature. The Society at large is not involved. No purpose will be served in continuing with the criminal prosecution. Therefore, we are inclined to allow the petition. Hence, the following order:-

ORDER

- (i) Both the Writ Petitions and Criminal Application are allowed.

(ii) The F.I.R. registered against the present Petitioners and Applicant vide C.R. No. 55 of 2020 at Agripada Police Station under Sections 498-A read with 34 of the Indian Penal Code and the consequent proceeding bearing CC. No. 277/PW/2022 pending before Judicial Magistrate, First Class, 46th Court, Mazgaon, Mumbai are quashed and set aside.

6. Accordingly, the Writ Petition Nos. 1762 of 2021 and 1575 of 2025 and Criminal Application (ST) No. 17878 of 2021 are disposed of.

(S.M. MODAK, J.)

(SARANG V. KOTWAL, J.)