

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

**CRIMINAL WRIT PETITION NO. 1689 OF 2025**

1. Prashant Vijay Mishra  
2. Mr. Vijay Kumar S. Mishra  
3. Mrs. Pushpa Vijay Mishra  
4. Ms. Upasana Vijay Mishra  
5. Mr. Ajaykumar Kailashnath Mishra .....Petitioners

Versus

1. The State of Maharashtra  
2. Priyanka Prashant Mishra .....Respondents

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Mr. Advait U. Shukla - Advocate for the Petitioners.

Mr. S. R. Agarkar - APP for the Respondent-State.

Adv. Nishi Singhvi – Advocate for Respondent No. 2.

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

**DATE : 03<sup>rd</sup> APRIL 2025**

**P.C. :**

1. This is a petition for quashing of the proceeding pending before the JMFC, 40<sup>th</sup> Court, Girgaon in C.C. No. 502 of 2017 arising out C.R. No. 21 of 2017 dated 07.02.2017 registered at Malabar Hill Police Station under Sections 498-A, 406, 504 and 506 read with 34 of the Indian Penal Code.

2. The F.I.R. is lodged by Respondent No. 2. The Petitioner No. 1 was her husband. The other Petitioners are his relatives, including his parents, sister, and uncle. It is not necessary to record all the allegations made in the F.I.R. in detail, because the Parties have settled the matter now.

3. The gist of the F.I.R. is that the informant got married with the Petitioner No. 1 on 24.05.2013. They have a daughter from that marriage. The allegations are that, in spite of spending a sufficient amount and giving ornaments during the marriage, the Petitioners ill-treated her on the demand of Rs. 10 Lakhs. They were suspecting her character. She left the matrimonial house on 29/05/2015 and delivered a daughter on 07.01.2016. But the Petitioners did not care to visit her or see the daughter. On all these allegations, the F.I.R. is lodged. The investigation was carried out. The charge-sheet contains the statements of the relatives of the informant, including the brother, the father, and the grandfather of the informant. All of them have supported the allegations made in the F.I.R.. However, now the matter is settled between the Parties. The Respondent No. 2 has filed her affidavit giving consent for the quashing of the proceedings. She has stated that she had filed proceeding under the Protection of

Women from Domestic Violence Act also. She is present in the Court. She is identified by learned counsel. She stated before the Court that the dispute is settled to her satisfaction. She has no objection for quashing of the proceeding.

4. The dispute is purely personal in nature. The Society at large is not involved. The continuation of the prosecution will not serve any purpose. Therefore, we are inclined to allow this petition. Hence, the following order :-

#### **ORDER**

- (i) The Writ Petition is allowed.
  - (ii) The F.I.R. registered vide C.R. No. 21 of 2017 registered with the Malabar Hill Police Station under Sections 498-A, 406, 504 and 506 read with 34 of the Indian Penal Code and the consequent proceedings pending before the JMFC, 40<sup>th</sup> Court, Girgaon vide C.C. No. 502 of 2017 are quashed and set aside.
5. Accordingly, the writ petition is disposed of.

**(S.M. MODAK, J.)**

**(SARANG V. KOTWAL, J.)**