IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1762 OF 2025

SATISH RAMCHANDRA SANGAR

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Date: 2025.05.08 17:07:47 +0530

Padmakar Ram Tripathi and Ors. ...Petitioners

Versus

Ms.Akanksha and Ors. ...Respondents

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Ms.Nidhi Shah i/b. Ms.Jindagi Shah – Advocates for Petitioners.

Smt.M.H.Mhatre – APP for Respondent – State.

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

DATE : 8th MAY 2025

P.C. :

1. This matter is moved for speaking to the minutes regarding the operative part of the order dated 23rd April 2025. The C.R. Number mentioned is 168 of 2018. In fact, the correct C.R. No.168 of 2016. Similarly, the case number is mentioned as 78 of 2018. In fact, the case number is R.C.C.No.89 of 2018 pending before the Chief Judicial Magistrate, Silvassa. Therefore, same typographical similar errors in the prayer clause.

2. The learned counsel for the Petitioners is granted

leave to amend to correct those typographical errors forthwith. In the operative part of the order dated 23rd April 2025, those typographical errors be corrected.

3. Rest of the order shall remain as it is. The corrected order be uploaded.

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

THE CORRECTED ORDER DATED 23rd APRIL 2025 READS THUS:-

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 1762 OF 2025

1. Padmakar Ram Tripathi
2. Shri Manoj Kumar Tripati
3. Dilip Tripathi
4. Renu .....Petitioners

Versus

1. Akanksha
2. The State of Maharashtra
3. The Union of India
   (Through Dadra Nagar and Haveli) .....Respondents

Adv. Jindagi Shah a/w (K. M. Dwivedi and Badal Dwivedi) on VC - Advocate for the Petitioners.

Petitioners present through VC

Adv. Kamar Ali Shaikh h/f Mr. Venegavkar – For Union of India

Mr. Rahul Pandey a/w Adv. Suchita Pandey – Advocate for Respondent No. 1.

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

DATE : 23rd APRIL 2025

P.C. :

1. This is a petition for quashing of the F.I.R. registered with Silvassa Police Station bearing C.R. No. 168 of 2016 for the offence punishable under Sections 498-A, 323 read with 34 of the Indian Penal Code and under Section 4 of the Dowry Prohibition Act. It is on the complaint of Respondent No. 1. She is wife of the Petitioner No. 1. The Petitioner Nos. 2 and 3 are the brother-in-law. Whereas the Petitioner No. 4 is housemaid. There are also others accused, however they are no more.

2. The marriage took place on 18.04.2012 as per the Hindu customs. After the marriage, the Respondent No. 1 started cohabiting with the Petitioner No. 1. He was working at Delhi, whereas the first informant/Respondent No. 1 was taking education. It is her case that she was being physically and mentally harassed by the Petitioner No. 1 and his relatives. The father of the Respondent No. 1 was working as the Deputy Commissioner of Transport and her family members are high

ranking officers. She was harassed on account of dowry.

3. The Petitioner No. 1 was subsequently posted at Dadra Nagar Haveli in the year 2014. At that place also she was harassed on various occasions. Even on one occasion, she was physically assaulted. Fed up with this harassment, she has initially written a complaint to the Superintendent of Police, Silvassa on 06.10.2016 and subsequently, this F.I.R. came to be registered on 08.10.2016.

4. Considering this strained relationship, there are also other proceedings including an application for maintenance as per Section 125 of the Code of Criminal Procedure and a complaint under the provisions of the Protection of Women from Domestic Violence Act, 2005. During the pendency of all these proceedings, the well-wishers/family have intervened, and they have decided to separate the marital tie. Even the charge-sheet is filed in the present F.I.R. and the case is pending before the concerned Court at Silvassa.

5. Today, the Respondent No. 1 is present. She has filed an affidavit stating that they have decided to take divorce by mutual consent. They have decided the terms. One of them is

withdrawal of all the proceedings and amount of permanent alimony is also fixed. An amount of Rs. 13,00,000/- is already paid. Today the Respondent No. 1 is handed over demand draft for Rs. 7 lakhs. She admits the same. She has admitted the signature on the affidavit. She is identified by her learned counsel.

6. As the dispute is purely personal in nature, we are inclined to quash the proceedings. It is in the interest of both the Parties. Hence, the following order :-

ORDER

(i) The Writ Petition is allowed.

(ii) The F.I.R. registered against the present Petitioners vide C.R.No.168 of 2016 at Silvassa Police Station under Sections 498-A, 323 read with 34 of the Indian Penal Code and under Section 4 of the Dowry Prohibition Act and the consequent proceeding bearing R.C.C.No.89 of 2018 pending before Chief Judicial Magistrate, Silvassa are quashed and set aside.

7. Accordingly, the Writ Petition is disposed of.

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