

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

WRIT PETITION NO. 1841 OF 2025

Arun Balasaheb Shinde & Ors.

..Petitioners

Versus

The State of Maharashtra & Anr.

..Respondents

Mr. Anuj Tiwari i/b. Shubhankar Avhad for Petitioners.
Ms. Dhanalaxmi Krishnaiyar, APP for State/Respondent.
Adv. Saba Shaikh for the Respondent No.2.

**CORAM : SARANG V. KOTWAL &
SHYAM C. CHANDAK, JJ.**

DATE : 08 OCTOBER 2025

PC :

1. This is a petition for quashing of the F.I.R. registered vide C.R.No.289 of 2016 at Indira Nagar police station, Nashik, on 22.09.2016, under sections 498A, 406, 494, 323, 504 and 506 r/w. 34 of the I.P.C., and the consequent proceedings bearing R.C.C.No.1598 of 2017 pending before the learned J.M.F.C., Nashik.

2. The F.I.R. was lodged by the Respondent No.2. The Petitioner No.1 is her husband and other petitioners are his close relatives. The Petitioner No.2 is his mother, the Petitioner No.3 is

his brother, the Petitioner No.4 is his sister, the Petitioner No.6 is his another sister, the Petitioner No.5 is husband of the Petitioner No.6, the Petitioner No.8 is also his sister, the Petitioner No.7 is husband of the Petitioner No.8, the Petitioner No.9 was the first wife of the Petitioner No.1 and the Petitioner No.10 is the mother of the Petitioner No.9. The investigation was over and the charge-sheet is filed, and the case is pending before the learned J.M.F.C., Nashik, vide R.C.C.No1598 of 2017. The matter is now settled between the parties and the prayer is made for quashing by consent.

3. Since the matter is settled between the parties, it is not necessary to refer to the allegations in detail. Though the charge-sheet is filed, the main allegations are made by the first informant-Respondent No.2 in this case. She has stated that, she got married with the Petitioner No.1 on 25.06.2013. She was residing with her mother in law, brother in law and his wife. Initially, for a couple of months her cohabitation was peaceful. After that the Petitioner No.1 used to drop her to her parent's house quite often. He started demanding money from her parents on the pretext that he had lost

the money in his business. If the money was not brought, the Petitioner No.1 used to beat her, abuse her and lock her in her house. Her stridhan was misappropriated. The other petitioners also used to illtreat her and used to pressurise her to bring the money. There was a specific demand of Rs.10 lakhs to repay the home loan. The Petitioner No.9 was interfering in their peaceful cohabitation. The Petitioner No.1 and the Respondent No.2 started residing at some difference place. The Petitioner No.1 then demanded Rs.5 lakhs. That demand was fulfilled by the Respondent No.2's father. She got to know that the Respondent No.9, who was the first wife of the Petitioner No.1, had started residing in the Petitioner No.1's house. The Respondent No.2 was humiliated. Other petitioners did not support the Respondent No.2. The Petitioner No.9 and the Petitioner No.1 continued with their relationship in spite of the divorce between them. On these allegations the F.I.R. was lodged.

4. The charge-sheet is not annexed to this petition, but the learned APP produced the papers before us.

5. We have perused the charge-sheet. The main allegations are made by the first informant in her F.I.R. She has filed her Affidavit of consent. It is stated in the Affidavit that the marriage between herself and the Petitioner No.1 was dissolved by a decree of divorce by mutual consent passed on 10.09.2020 in the Family Court at Nashik. In paragraph-4 she has clearly recorded her no objection for quashing of these proceedings.

6. The Respondent No.2 appeared through the video conferencing. She was identified by her learned counsel. She reiterated the contents of the Affidavit and submitted before the Court that she has no objection for quashing of these proceedings.

7. Considering that the dispute is settled between the parties and that the parties have separated and living their separate lives, no purpose would be served in continuing with the criminal prosecution. Therefore, in the interest of justice and in the interest of the parties, we are inclined to allow this petition.

8. Hence, the following order:

O R D E R

- i) The F.I.R. registered vide C.R.No.289 of 2016 at Indira Nagar police station, Nashik, on 22.09.2016, under sections 498A, 406, 494, 323, 504 and 506 r/w. 34 of the I.P.C., and the consequent proceedings bearing R.C.C.No.1598 of 2017 pending before the learned J.M.F.C., Nashik, are quashed and set aside.
- ii) The writ petition is disposed of.

(SHYAM C. CHANDAK, J.)

(SARANG V. KOTWAL, J.)