

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

CRIMINAL WRIT PETITION NO.1995 OF 2025

Nawazish Ali Khan
and others

.....Petitioners

Versus

The State of Maharashtra
and another

.....Respondents

Ms. Najma Sharif, Advocate for the Petitioners.

Mr. B.V. Holambe-Patil, APP for the Respondent No.1-State.

Mr. Yusuf Sharif, Advocate for the Respondent No.2.

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

DATE : 08th APRIL, 2025

P.C. :

1. This is a Petition filed by the Petitioners for quashing of the FIR registered through Oshiwara police station, Mumbai vide C.R. No239/2019. It was registered on 15.6.2019 for the offences punishable under Sections 498-A, 406, 324, 326, 504 read with 34 of IPC.

2. Heard Ms. Najma Sharif, learned counsel for the Petitioners, Mr. B.V. Holambe-Patil, learned APP for the Respondent No.1-State and Mr. Yusuf Sharif, learned counsel

for the Respondent No.2.

3. The Petitioner No.1 is the husband whereas the Petitioner Nos.2 & 3 are the in-laws and the Petitioner No.4 is the sister-in-law of the Respondent No.2. The Petitioner and the Respondent No.2 got married on 22.4.2018. She had given birth to a daughter. It is her allegation that she was harassed because she had not given birth to a son. There are several allegations in the FIR. We do not want to go into those allegations, for the simple reason that both the parties have now settled the dispute, and importantly, they have resumed cohabitation.

4. Today the Petitioner No.1 and the Respondent No.2 are present. They have entered into the consent terms in the form of affidavit filed by the Respondent No.2. The Respondent No.2 is present in the Court. She admits the contents and signature. She is identified by her Advocate. Both of them have stated that now they are cohabitating happily with the daughter. No purpose would be served by continuing with the present prosecution. The charge-sheet is also filed.

5. Considering the best interest of the parties, we are inclined to quash the FIR and the consequent proceedings. Hence, the following order:

:: O R D E R ::

- i. The FIR being C.R. No.239/2019 registered at Oshiwara police station, Mumbai as well as the consequent criminal proceedings arising therefrom, are quashed and set aside.
- ii. The Petition is disposed of accordingly.

(S.M. MODAK, J.)

(SARANG V. KOTWAL, J.)

Deshmane (PS)

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by
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