

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

CRIMINAL WRIT PETITION NO. 2368 OF 2025

Nalin Avadhesh Kumar & Anr.

..Petitioners

Versus

Manju Bala Dudeja & Anr.

..Respondents

Mr. Abhilesh Chitre for Petitioners.

Mr. Rushikesh H. Salkar a/w. Rohit G. Kadam for Respondent No.1.

Mr. S. R. Agarkar, APP for State/Respondent No.2.

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

DATE : 30 APRIL 2025

PC :

1. This is a petition for quashing of the proceedings arising out of the C.R.No.482 of 2024, registered at Bhoiwada police station, under sections 85 and 86 of the Bhartiya Nyaya Sanhita, 2023 (for short 'BNS'), and the consequent proceeding arising out of the same.

2. The F.I.R. is lodged by the Respondent No.1. The Petitioner No.1 is her husband and the Petitioner No.2 is the brother of the Petitioner No.1. The parties have settled their

dispute and they have decided to stay together, therefore, it is not necessary to refer to the allegations in the F.I.R. in detail. However, gist of the F.I.R. is that the informant was earlier married and had a son from that marriage. She had obtained divorce from her first husband. She came in contact with the Petitioner No.1 in 2016. After continuous persuasion by the Petitioner No.1, she decided to get married with the Petitioner No.1. Accordingly, they got married in August 2021. However, nobody from the petitioners' family was present for the wedding because, according to the Petitioner No.1, his family was opposed to their marriage. The F.I.R. thereafter goes on to mention that the Petitioner No.1 exploited the informant financially. She had to spend on various articles. She had to sell her cars. The Petitioner No.1 was working in Dubai. He refused to take the informant to Dubai, unless she got a job in Dubai. There are certain allegations against the Petitioner No.2, as well. The main thrust of the F.I.R. was regarding the allegation that the Petitioner No.1 was having some close relationship with a third person and that was the cause for which he was illtreating the informant. On these allegations the F.I.R. was lodged.

3. Now the matter is settled between the parties. The Respondent No.2 has filed her Affidavit in reply. She has stated in her Affidavit that the parties have agreed to resolve their dispute and they have entered into settlement. They do not have any kind of grievance against each other. She has given her no objection for quashing of the proceedings.

4. The Respondent No.2 appeared through the video conferencing. She was identified by her learned counsel. She reiterated the contents of her affidavit. She stated before the Court that the differences between the informant and her husband-petitioner no.1 are sorted out amicably and they have decided to stay together peacefully. She reiterated that she has no objection for quashing of these proceedings.

5. The dispute is purely personal in nature between the parties and they have settled the issues. The informant has given her no objection for quashing of the proceedings. Since the society at large is not involved, we are inclined to allow this petition.

6. Hence, the following order:

O R D E R

- i) The F.I.R. registered vide the C.R.No.482 of 2024, at Bhoiwada police station, under sections 85 and 86 of the Bhartiya Nyaya Sanhita, 2023, and the consequent proceeding arising out of the same, are quashed and set aside.
- ii) The petition is disposed of.

(S. M. MODAK, J.)

(SARANG V. KOTWAL, J.)