

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

CRIMINAL WRIT PETITION NO.2398 OF 2025

Paresh Sukanraj Jain & Ors. Petitioners

versus

The State of Maharashtra & Anr. Respondents

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- Mr. Akram Kapoor, Advocate for Petitioners.
- Mr. P. Kutkar a/w Mr. Prashant Bandqar a/w Virendra Deshmukh, Advocate for Respondent No.2.
- Mr. S. R. Agarkar, APP for the State/Respondent.

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

DATE : 07th MAY, 2025

P.C. :

1. This Petition is filed for quashing of the FIR bearing C.R.No.146/2024 registered with Matunga Police Station. The Respondent No.2 has lodged this complaint for the offence punishable u/s 498-A, 323, 504 r/w 34 of the Indian Penal Code. The Petitioner No.1 is the husband whereas the Petitioner Nos.2 and 3 are the father-in-law and the mother-in-law respectively.

2. Heard Mr. Akram Kapoor, learned Counsel for the Petitioners, Mr. P. Kutkar, learned counsel for the Respondent No.2 and Mr. S. R. Agarkar, learned APP for the State.
3. The Respondent No.2 got married with the Petitioner No.1 on 10/03/2015 as per the Hindu Vedic Rites. She cohabited with the Petitioner No.1 at Bhandup, Mumbai. Their cohabitation continued upto 31/12/2015. According to her, there was dispute on some reasons. There is complaint that she was not doing the household work properly. The Respondent No.2 was not allowed to use the household articles. Apart from this FIR, there are other cases as well. As the matter is settled between the parties, we are not going into the allegations in detail. There is a Divorce Petition filed by the Petitioner No.1 before the Family Court at Bandra. The matter got settled during Lok Adalat and the parties have entered into consent terms. A copy of the consent terms is annexed to the Petition. The terms are settled including the permanent alimony. It is paid in part and part remains. However, this issue will be adjudicated before the Family Court. The Respondent No.2 is present and she has

filed her affidavit, thereby giving consent to quash the FIR. She is identified by her advocate. She is aware that the remaining amount will be paid in the Family Court. In this background, she is consenting for quashing of the FIR. The charge-sheet is filed and the case is pending before the Court of J.M.F.C. Kurla, bearing No.1346/PW/2025. The dispute is personal in nature and the society is not involved. Therefore, we are inclined to quash the proceedings.

4. Hence, the following order :

ORDER

- (i) The FIR vide C.R.No.146/2024 registered with Matunga Police Station and the consequent proceedings arising out of the said FIR, are quashed and set aside.
- (ii) The Petition is disposed of.

(S. M. MODAK J.)

(SARANG V. KOTWAL, J.)