

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

CRIMINAL WRIT PETITION NO. 2466 OF 2025

Chandani Rakesh Dwivedi & Ors.

..Petitioners

Versus

The State of Maharashtra & Anr.

..Respondents

Mr. Ashok Kumar Shukla for Petitioners.

Mr. J. P. Yagnik, APP for State/Respondent.

Mr. Siddharth Singh for the Respondent No.2.

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

DATE : 7 MAY 2025

PC :

1. This is a petition for quashing of the proceedings pending vide S.C.C.No.28897 of 2024 before the J.M.F.C., Thane, arising out of the C.R.No.1223 of 2024, registered at Kasarvadavli police station, on 28.07.2024, under sections 329(3), 115(2), 324(4), 352, 351(1) and 3(5) of the Bhartiya Nyaya Sanhita, 2023.

2. Heard Mr. Ashok Kumar Shukla, learned counsel for the Petitioners, Mr. Yagnik, learned APP for the State and Mr.

Siddharth Singh, learned counsel for the Respondent No.2.

3. The F.I.R. is lodged by the Respondent No.2. His sister Priyanka had got married with the Petitioner No.3. The Petitioner No.1 is the sister and the Petitioner Nos.2 is cousin of the Petitioner No.3. The matter is settled between the parties, therefore, it is not necessary to refer to the allegations in the F.I.R. in detail. However, the gist of the F.I.R. is that the informant's sister had lodged some cases against the Petitioner No.3 and his family. The incident in question had occurred at 09.05p.m. on 27.07.2024. At that time, the petitioners entered the informant's house. His sister Priyanka was present in that house as it was her parent's house. All the three petitioners and the 4th lady who is not the party to this petition entered the house and started quarreling with the informant and his sister. They started abusing the informant and his family. They also caused some damage to the articles in the house. On these allegations, the F.I.R. was lodged. The charge-sheet contains the statements of the informant's sister and cousin who have supported the informant's case.

4. The Respondent No.2 has filed his Affidavit in reply. He has stated in his affidavit that the F.I.R. is lodged because of some confusion, but the matter is amicably settled and he has no objection for quashing of the proceedings.

5. The Respondent No.2 is present before the Court. He is identified by his learned counsel. He reiterated the contents of the affidavit and stated before the Court that he has no objection for quashing of the proceedings.

6. The incident appears to be a petty incident. No serious damage was done. The parties have settled their differences. Therefore, we are inclined to allow this petition. It is made clear that the 4th accused is not before the Court, but considering the over all settlement, the proceedings are quashed in totality.

7. Hence, the following order:

ORDER

- i) The proceedings pending vide S.C.C.No.28897 of 2024 before the J.M.F.C., Thane, arising out of the C.R.No.1223 of 2024, registered at

Kasarvadavli police station, on 28.07.2024, under sections 329(3), 115(2), 324(4), 352, 351(1) and 3(5) of the Bhartiya Nyaya Sanhita, 2023, are quashed and set aside.

ii) The writ petition is disposed of.

(S. M. MODAK, J.)

(SARANG V. KOTWAL, J.)