

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 3396 OF 2025

- | | | | |
|----|--|---|-----------------|
| 1. | Mr. Arqum Mohammed Ali Shaikh |] | |
| | Aged 24 years, Occupation Service, |] | |
| 2. | Mr. Asad Mohd Ali Shaikh |] | |
| | Aged 36 years, Occupation Service |] | |
| 3. | Mr. Arshad Md. Ali Shaikh |] | |
| | Aged about 32 years, Occupation Service, |] | |
| 4. | Mrs. Shabnam Mohammed Ali Shaikh |] | |
| | Aged about 59 years, Occupation Housewife, |] | |
| 5. | Mr. Ahmed Ali Mohammed Ali Shaikh |] | |
| | Aged about 37 years, Occupation Business, |] | |
| 6. | Mr. Mohd Mansoor Mohammed Ali Shaikh |] | |
| | Aged about 32 years, Occupation Service, |] | |
| 7. | Miss. Saima Mohammad Ali Shaikh |] | |
| | Aged about 29 years, Occupation Service, |] | |
| | All are residing at Fatima Bai Building, |] | |
| | 3 rd Floor, Room No.44 & 45, 13 Dharamshala |] | |
| | Road, Opp. Diamond Jubilee School, Dongri, |] | |
| | Mumbai – 400 009. |] | ... Petitioners |

V/s.

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|----|--|---|--|
| 1. | The State of Maharashtra |] | |
| | Through Mumbra Police Station, Mumbai |] | |
| | in C.R. No.178/2021 with R.C.C. No.3072/2021 |] | |
| 2. | Mrs. Anisa w/o. Ahmed Ali shaikh @ |] | |
| | Miss Anisa d/o. Akram Maniyar |] | |
| | Age 33 years, Occupation Doctor, |] | |

Residing At : D/602, Aman Complex,]
Near Khadi Machine Road, Kausa, Mumbra,]
District Thane – 400 612.] ... Respondents

Ms. Tahera Qureshi for Petitioners.

Ms. Savita M. Yadav, A.P.P. for Respondent No.1-State.

Mr. Omprakash Dubey i/b. Mr. Raj for Respondent No.2.

P.S.I. Mr. Vijay Sanap, Mumbra Police Station, Thane City, present.

**CORAM : A. S. GADKARI AND
RAJESH S. PATIL, JJ.**

DATE : 1st July 2025.

PC. :

1) Petitioners i.e. husband (Petitioner No.5), brothers-in-law (Petitioner Nos.1, 2 & 3), mother-in-law (Petitioner No.4), sister-in-law (Petitioner No.7) and husband of sister-in-law (Petitioner No.6) have filed this Petition under Article 226 of the Constitution of India for quashing of R.C.C. No. 3072 of 2021 pending on the file of, learned Judicial Magistrate First Class, 3rd Court, Thane, arising out of CR No. 0178 of 2021, dated 3rd March 2021, registered with Mumbra Police Station, District Thane, for the offences punishable under Sections 498A, 323, 504 read with 34 of The Indian Penal Code and Section 4 of The Muslim Women (Protection of Rights on Marriage) Act, 2019, with the consent of Respondent No.2, the informant.

2) Mr. Dubey, learned Advocate for Respondent No.2 submitted that, the Petitioner No.5 and Respondent No.2 have settled their disputes and

differences and have filed Consent Terms dated 30th July 2024 in M.A. No. 190 of 2021 before the learned Judicial Magistrate First Class, Thane. He submitted that, in view of the Consent Terms, the Respondent No.2 is giving her consent for quashing of the said case.

2.1) Mr. Dubey tendered across the bar an Affidavit of Respondent No.2 dated 16th June 2025, duly affirmed before a Notary Public. The fact of amicable settlement and filing of Consent Terms have been admitted in the said Affidavit. In para No.12 thereof, the Respondent No.2 has given her absolute consent and no objection for quashing of the present case.

2.2) Respondent No.2 is personally present in the Court and through her Advocate reiterates the contents of her Affidavit dated 16th June 2025 and her 'No Objection' for quashing of the crime in question.

3) In view of above, Petition is allowed in terms of prayer clause (a).

(RAJESH S. PATIL, J.)

(A.S. GADKARI, J.)

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