
IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 3514 OF 2025

Mohd Sohail Salim Shaikh & Anr.

...Petitioners

Versus

Samreen Mohd Sohail Salim Shaikh

@ Samreen Maqsood Ahmed Nalwar & Anr. ...Respondents

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Adv. Sana Raees Khan a/w Mr. Sumit Sharma, for the
Petitioners.

Ms Shivani Shukla for Respondent No. 1.

Mr. S. S. Ghag, APP for the Respondent No. 2 – State.

CORAM: MANJUSHA DESHPANDE, J.

DATE : 04th JULY 2025

P.C.:

1. In this Writ Petition the Petitioner-husband is seeking direction to quash and set aside the complaint bearing No. 265 of 2022 filed under the Protection of Women from Domestic Violence Act, 2005, pending before the J.M.F.C. 45th Court, Kurla. Petitioner No. 1 is the husband of Respondent No. 1, and Petitioner No. 2. is the mother-in-law of the Respondent No. 1. According to the Petitioners, Petitioner No. 1 and Respondent No. 1 were married on 22nd May 2022. Thereafter, there were various

1 This order is corrected as per the Speaking to the Minutes Order dated 09.07.2025.

incidents that had taken place, as a result of which, a complaint was filed by Petitioner No. 1- husband addressed to the Commissioner of Police, Brihanmumbai, on 21st September 2022, in which he had requested to look into the seriousness of the conduct of the Respondent No.1- wife. Petitioner No. 1 apprehended that, wife is likely to file criminal complaint against him, implicating him in the offence under Section 498A of the IPC. According to him, as he has apprehended, a complaint was filed under Section 498A of the IPC of 30th September 2022 by the Respondent No. 1- wife. Thereafter, immediately in October 2022, she has filed D.V. complaint which is impugned in the present Writ Petition.

2. It is the contention of the Petitioners that, in the FIR which is registered against Petitioner No. 1, the Petitioner alongwith his family members were constrained to approach this Court for quashing of the said FIR in the Writ Petition No. 172 of 2022 and Writ Petition No. 4610 of 2022, and stay came to be granted to the filing of charge-sheet by this Court vide Order dated 19th June 2023.

3. Issue notice to the Respondents, returnable on **01st August 2025**.
4. Ms Shukla, learned counsel appears and waives notice on behalf of Respondent No.1. Mr. Ghag, learned APP waives notice on behalf of Respondent No. 2-State.
5. In the meanwhile, there shall be an ad-interim stay to the D.V. proceedings in terms of prayer clause (b) of the Petition, till the returnable date.

[MANJUSHA DESHPANDE, J.]