

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 4159 OF 2025**

Amrut Shashikant Samnerkar and Ors.

.... Petitioners

V/s.

The State of Maharashtra and anr.

.... Respondents

Adv. Rimpal Trivedi for the Petitioners.

Ms. Sangita Phad, APP for the Respondent – State.

Adv. Harshita Bhanushali for the Respondent No.2-wife.

Respondent No.2, present in Court.

**CORAM : SARANG V. KOTWAL AND
SHYAM C. CHANDAK, JJ.**

DATED : 11th SEPTEMBER, 2025

P.C. :-

. This is a Petition for quashing of the proceedings in respect of the Sessions Case No.213/2020 pending before the learned Additional Sessions Judge, Kalyan arising out of the C.R.No.256/2019 registered at Shivaji Nagar Police Station, Thane under Sections 313, 323, 417, 498-A, 504 read with 34 of the Indian Penal Code.

2) We have heard the learned Counsel for the parties.

3) It is not necessary to refer to the allegations in the charge-sheet in detail because parties have settled their dispute. The Petitioner No.1 is the husband of Respondent No.2. The other two Petitioners are his parents. Since the matter is settled between the parties, we are not referring to the allegations in detail. However, briefly the allegations are that Respondent No.2 got married with the Petitioner No.1 on 10/12/2017. When she

started residing with the Petitioners, she was ill-treated. She came to know that her husband was suffering from mental and physical illness but this fact was concealed from her. She has given different instances of ill-treatment meted out to her. There was demand of money. In October, 2018 she became pregnant but the Petitioner No.1 did not want a child, therefore, he gave pills for abortion. She consumed them against her wish causing abortion. There was an attempt by friends and relatives for reconciliation but there was no solution. Finally, she lodged the FIR.

4) Apart from the statement of the Respondent No.2, the charge-sheet contains statements of the parents, sisters and brother of the Respondent No.2. They have supported her allegations.

5) Now, the matter is settled between the parties. Respondent No.2 has filed her affidavit. She has stated in the affidavit that she has no objection for quashing of the proceedings related to Sessions Case No.213/2020 pending before the learned Additional Sessions Judge, Kalyan. The Counsel for the parties informed us that Rs.5,00,000/- is already paid to the Respondent No.2 and the balance amount of Rs.5,00,000/- is in the form of Demand Draft which is with the Mediator. That Demand Draft will be given to the Respondent No.2.

6) Respondent No.2 is present before the Court. She reiterated the contents of the affidavit and informed the Court that she has no objection if the proceedings are quashed. The settlement is arrived at to her

satisfaction.

7) Considering this situation, in the interest of justice and in the interest of the parties, we are inclined to allow this Petition. Hence, the following Order :-

(a) The proceedings arising out of Sessions Case No.213/2020 pending before the learned Additional Sessions Judge, Kalyan which in turn arises out of the C.R.No.256/2019 registered at Shivaji Nagar Police Station, Thane under Sections 313, 323, 417, 498-A, 504 read with 34 of the Indian Penal Code, are quashed and set-aside.

8) Petition stands disposed of.

(SHYAM C. CHANDAK, J.)

(SARANG V. KOTWAL, J.)

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