

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

CRIMINAL WRIT PETITION NO.4563 OF 2025

Sagar Rajendra Kharpatil & Ors.

.... Petitioners

versus

The State of Maharashtra & Anr.

.... Respondents

.....

- Mr. Meghashyam Kocharekar, Advocate for Petitioners.
- Ms. Manvi Sharma a/w Ms. Aishwarya Hinge i/b. Mr. Jayesh Tikhe i/b. Mr. Saurabh Bhutala, Advocate for Respondent No.2.
- Ms. Sangeeta Phad, APP for the State/Respondent.

**CORAM : SARANG V. KOTWAL &
SHYAM C. CHANDAK, JJ.**
DATE : 23rd SEPTEMBER, 2025

P.C. :

1. This is a Petition for quashing of the proceedings pending before the learned JMFC, Thane, vide RCC No.1127 of 2022 arising out of the C.R.No.69/2021 registered with Vartak Nagar Police Station for the offence punishable u/s 323, 406, 498-A, 504, 506 r/w 34 of the Indian Penal Code.

2. Heard Mr. Meghashyam Kocharekar, learned Counsel

for the Petitioners, Ms. Manvi Sharma, learned counsel for the Respondent No.2 and Ms. Sangeeta Phad, learned APP for the State.

3. The FIR is lodged by the Respondent No.2. The Petitioner No.1 is her husband. The Petitioner Nos.2 and 3 are his parents. The Petitioner No.8 is sister of the husband. The Petitioner No.7 is the brother of the husband. The Petitioner No.6 is the wife of the Petitioner No.7. The Petitioner No.4 is brother of the husband's father and the Petitioner No.5 is the wife of the Petitioner No.4.

4. It is not necessary to refer to the allegations made by the Respondent No.2 in her FIR because the matter is now settled between the parties. Briefly, the allegations in the FIR dated 04/03/2021 are that the Respondent No.2 got acquainted with the Petitioner No.1 in the year 2009 in a wedding ceremony of her relative. The Petitioner No.1 wanted to marry the Respondent No.2. Both the families met. There are allegations that after the marriage was fixed the Respondent

No.2's family spent heavy expenses in the engagement ceremony. The marriage took place on 29/03/2018. The Respondent No.2 goes on to mention various instances where the Respondent No.2 was ill-treated. There are allegations against the Petitioner No.1 of ill-treatment even when both of them had gone on a trip. There are allegations of abusive language used by the mother-in-law of the Respondent No.2. In around January 2020, the Respondent No.2 came back to reside with her parents. The Petitioners did not make any attempt to take her back for cohabitation. The Respondent No.2's Stridhan was retained by the Petitioners. On these allegations, the FIR was lodged.

5. The charge-sheet contains statements of the Respondent No.2's parents, sisters and other relatives. They have supported her allegations. However, now the dispute is completely settled between the parties. The Respondent No.2 is present in the Court. She is identified by her learned counsel. She has filed her affidavit. She has stated in her affidavit that pursuant to the successful mediation process, they have arrived

at a settlement and they have filed a Petition for divorce by mutual consent before the Family Court, Thane, on 23/07/2025. The Petitioner No.1 has agreed to pay a lump-sum permanent alimony of Rs.5 Crores. The amount deposited by him in the Family Court, Thane, is to be released in her favour in terms of the consent terms. In this situation, she has mentioned in paragraph No.8 that she has no objection for quashing of the criminal proceedings. The Petitioner No.1 has also filed his affidavit wherein he has stated that he has deposited Rs.4 Crores in the Family Court, Thane and he would deposit the balance amount of Rs.1 Crore.

6. The Respondent No.2 reiterated the contents of her affidavit and stated before the Court that she has no objection for quashing of these proceedings.

7. Since the matter is completely settled between the parties to the satisfaction of the Respondent No.2, there is no point in continuing with the criminal prosecution. Therefore, we are inclined to allow this Petition.

8. Hence, the following order :

ORDER

- (i) The proceedings pending before the learned JMFC, Thane, vide RCC No.1127 of 2022 arising out of the C.R.No.69/2021 registered with Vartak Nagar Police Station, are quashed and set aside.
- (ii) The Petition is disposed of.

(SHYAM C. CHANDAK, J.)

(SARANG V. KOTWAL, J.)