

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

CRIMINAL WRIT PETITION NO.4567 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. Supriya Kak, 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 Additional Sessions Judge, Panvel, in Special Case No.155 of 2021 arising out of C.R.No.76/2021 registered at Uran Police Station for the offence punishable u/s 376, 377, 354, 509, 323, 406, 504 r/w 34 of the Indian Penal Code and u/s 3(1)(s) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. Heard Mr. Meghashyam Kocharekar, learned Counsel for the Petitioners, Ms. Manvi Sharma, learned counsel for the Respondent No.2 and Ms. Supriya Kak, 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 parents of the husband. The Petitioner No.4 is the brother of the Respondent No.2's father-in-law. The Petitioner No.6 is the brother of the Respondent No.2's mother-in-law. The Petitioner No.5 is sister-in-law of the Respondent No.2. The matter is completely settled between the parties. Therefore, it is not necessary to refer to the allegation in the FIR in detail. However, briefly stated, the allegation are that the Respondent No.2's mother was belonging to a scheduled cast. The Petitioners were aware of this fact. The Respondent No.2 got married with the Petitioner No.1 on 29/03/2018. There are allegations that after the initial period of 2 to 3 months, the Petitioners started ill-treating her. They used to humiliate her with reference to her

family background. The Respondent No.2's parents had spent heavy expenses during the wedding. There are allegations in the FIR in respect of the physical relations between the Respondent No.2 and the Petitioner No.1. She was harassed physically during their physical relations. Then there are allegation against her father-in-law regarding outraging her modesty. The Petitioners humiliated the Respondent No.2 by making derogatory reference to her mother's caste. There are allegations against the Petitioner No.6 regarding outraging her modesty. On this allegation the FIR is lodged.

4. Her FIR is supported by statements of her parents and other relatives. But the main allegations are made by the Respondent No.2 in her FIR.
5. In spite of these allegations, now the matter is completely settled between the parties. She had lodged another FIR u/s 498-A of the Indian Penal Code. The proceedings arising out of the same are quashed and set aside by a separate order passed in a different Petition today by this Court. The

Respondent No.2 is present in the Court. She is identified by her learned counsel. She has filed an affidavit in this Court. It is mentioned that the matter is settled between the parties following the mediation process. The Petitioner No.1 has agreed to pay a lump-sum alimony of Rs.5 Crores. They have approached the Family Court, Thane, for obtaining decree of divorce by mutual consent. In view of this settlement, she has no objection for quashing of the present proceedings. The Respondent No.2 reiterated the contents of the affidavit before this Court. She stated that the settlement is arrived at to her satisfaction and she has no grievance against any of the Petitioners any more. She has no objection for quashing of these proceedings.

6. Considering that the matter is completely settled between the parties to the satisfaction of the Respondent No.2 and since she does not want to proceed with the prosecution, there is no point in continuing with the prosecution. Therefore, in the interest of justice and in the interest of both the parties, we are inclined to allow this Petition.

7. Hence, the following order :

ORDER

- (i) The criminal proceedings pending before the learned Additional Sessions Judge, Panvel, in Special Case No.155 of 2021 arising out of C.R.No.76/2021 registered at Uran Police Station, Navi Mumbai, are quashed and set aside.
- (ii) The Petition is disposed of.

(SHYAM C. CHANDAK, J.)

(SARANG V. KOTWAL, J.)