

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

CRIMINAL WRIT PETITION NO.4637 OF 2025

Mohammad Mujahid Shahedulhaq
Shaikh & Ors.

.... Petitioners

versus

The State of Maharashtra & Anr.

.... Respondents

.....

- Mr. Asif Latif Shaikh, Advocate for Petitioners.
- Ms. Sharmila S. Kaushik, APP for the State/Respondent.
- Mr. Lokesh Zade, Advocate for Respondent No.2.

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

DATE : 10th SEPTEMBER, 2025

P.C. :

1. This is a Petition seeking quashing of the proceeding bearing C.C. No.391/PW/2023 pending before the 29th JMFC Court, Dadar-Sewree at Mumbai, arising out of the FIR No.167/2022 registered with Wadala T.T. Police Station, u/s 377, 354-A, 498-A, 406, 323, 504 r/w 34 of the Indian Penal Code, on the report filed by the Respondent No.2.

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2. Heard Mr. Asif Latif Shaikh, learned Counsel for the Petitioners, Mr. Lokesh Zade, learned counsel for the Respondent No.2 and Ms. Sharmila S. Kaushik, learned APP for the State.

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3. The Petitioners Nos.1 and 2 are husband and mother-in-law of Respondent No.2. The Petitioner No.3 is Petitioner No.1's cousin. The allegations against the Petitioners are that after the Petitioner No.1 got married with the Respondent No.2, she went to co-habit with the Petitioner No.1 and his family. However, the Petitioner Nos.1 and 2 subjected the Respondent No.2 to mental and physical cruelty for their unlawful demand of money. The Petitioner No.1 subjected the Respondent No.2 to sexual assault. The Petitioner No.3 had an ill intention towards to the Respondent No.2. Therefore, the Respondent No.2 filed the said FIR.

4. Now the parties have settled their dispute. The Respondent No.2 has no objection to quash the said FIR. In this regard the Respondent No.2 has filed her consent affidavit. Therein she has stated that the Petitioner is to pay an amount of Rs.1,00,000/- towards full and final settlement. Out of the said amount, Rs.50,000/- is paid. The balance amount of Rs.50,000/- would be paid after the decree of divorce is passed in the Petition pending before the Family Court. The affidavit states

that the Respondent No.2 has no objection for quashing of the criminal proceedings. The Respondent No.2 is present in the Court and she has reiterated the contents in the affidavit. The affidavit is taken on record and marked 'X' for identification.

5. In view thereof, the FIR and the consequent proceeding can be quashed as no purpose will be served in continuation of the criminal proceedings.

6. Hence, the following order :

ORDER

(i) The Petition is allowed.

(ii) The criminal proceeding bearing C.C. No.391/PW/2023 pending before the 29th JMFC Court, Dadar-Sewree at Mumbai, arising out of the FIR No.167/2022 registered with Wadala T.T. Police Station, is quashed and set aside.

(iii) The Petition is disposed of.

(SHYAM C. CHANDAK, J.)

(SARANG V. KOTWAL, J.)