

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

CRIMINAL WRIT PETITION NO.4890 OF 2025

Prasad Mahesh Parkar and othersPetitioners
Versus
The State of Maharashtra and anotherRespondents

Ms. Rimpal Trivedi, Advocate a/w. Harshida Bhanushali for the
Petitioners.

Ms. Sharmila Kaushik, APP for the Respondent No.1-State.

Ms. Vaishali Patil, Advocate for the Respondent No.2.

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

DATE : 25th SEPTEMBER, 2025

P.C. :

1. This is a Petition for quashing of the proceedings arising out of C.R. No.320/2023 registered at Pen police station, Pen, District-Raigad on 26.11.2023 under Sections 377, 498-A, 406, 323, 504 read with 34 of IPC.

2. Heard Ms. Rimpal Trivedi, learned counsel for the Petitioners, Ms. Sharmila Kaushik, learned APP for the Respondent No.1-State and Ms. Vaishali Patil, learned counsel for the Respondent No.2.

3. In this case the charge-sheet is already filed. Neither the FIR nor the charge-sheet is annexed to this Petition. However, learned APP produced the entire investigation papers contained in the charge-sheet for our perusal. It is not necessary to refer to the allegations made in the FIR because the parties have settled their disputes. The Respondent No.2 was married to the Petitioner No.1. The Petitioner Nos.2 & 3 are his parents and the Petitioner No.4 is his sister. The brief allegations in the FIR are that the families of both the parties were knowing each other. In 2017, the Respondent No.2 and the Petitioner No.1 had got engaged. Subsequently, she came to know that the Petitioner No.1 was having relationships with other women but by that time the engagement had already taken place and fearing defamation in the society she got married with the Petitioner No.1. The FIR thereafter goes on to mention as to how she was ill-treated. Her salary used to be taken by the Petitioners. The Petitioner No.1 continued having relationships with other women. There are certain allegations that she had consumed four bottles of medicines out of frustration. There are allegations attracting ingredients of

Section 377 of IPC against the Petitioner No.1. The other Petitioners used to taunt her as she had not conceived for a few years. She was diagnosed with some serious infection to her uterus. In spite of that, the ill-treatment continued. The *stridhan* and other ornaments were retained by the Petitioners. On 27.3.2023 she came back to reside with her parents and thereafter she lodged this FIR. The charge-sheet contains statements of her parents and the acquaintances, but, the main allegations are made by the Respondent No.2 herself.

4. Now the matter is settled between the parties. The Respondent No.2 has filed her affidavit. She has referred to the divorce proceedings and the proceedings under the Protection of Women From Domestic Violence Act. There is a reference to the payment of one-time alimony of Rs.1 Crore by the Petitioner No.1. Out of which, as of today, Rs.30 Lakhs is remaining which is to be paid after the present FIR is quashed. The Respondent No.2 is present before the Court. She is identified by her learned counsel. She reiterated the contents of her affidavit. She stated before the Court that she has no objection for quashing of these proceedings.

5. Since the matter is completely settled between the parties, it would be in the interest of both the parties that they lead their separate lives. Therefore, in the interest of justice and in the interest of the parties, we are inclined to allow this Petition.

6. Hence, the following order :

:: O R D E R ::

- i. The FIR being C.R. No.320/2023 registered at Pen police station, Pen, District-Raigad as well as the consequent proceedings arising therefrom being R.C.C. No.59/2024 pending before the J.M.F.C., Pen, District- Raigad, are quashed and set aside.
- ii. The Petition is disposed of accordingly.

(SHYAM C. CHANDAK, J.)

(SARANG V. KOTWAL, J.)

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