

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

CRIMINAL WRIT PETITION NO.4939 OF 2025

1. Omkar Rajendra Patki	]
2. Kanchan @ Kamal Rajendra Patki	]
3. Rajendra Sadashiv Patki	]
4. Amruta Rajendra Patki	]
5. Ambar Rajendra Patki	] .. Petitioners

Versus

1. The State of Maharashtra,	]
Through Sinhgad Police Station, Pune	]
2. Aparna Omkar Patki	]
(<i>alias</i> Aparna Jitendra Rahate)	] .. Respondents

Ms. Sayli Samir Wani, Advocate for the Petitioners.

Mr. K.V. Saste, Additional Public Prosecutor for Respondent No.1.

Mr. Vivek Nishad, i/by Ms. Ankita Waghmare, Advocates for Respondent No.2.

**CORAM : SHREE CHANDRASHEKHAR, CJ. &
GAUTAM A. ANKHAD, J.**

DATE : 18TH NOVEMBER 2025.

PER, GAUTAM A. ANKHAD, J.

The present Writ Petition is filed under Article 226 of the Constitution of India and section 482 of the Code of Criminal Procedure, 1973 seeking quashing, by consent, of the F.I.R. bearing Crime No.2671 of 2020 dated 28th December, 2020 with the Singhad Road Police Station filed under sections 313, 323, 324, 354, 377, 498(A), 504 and 506 of the Indian Penal Code, 1860 and proceeding bearing registration no. 489/2022 pending before the learned 17th District and Sessions Judge at Pune.

2. The petitioner no.1 is the husband of the respondent no.2. The present dispute is marital in nature. The respondent no.2 no longer wants to take criminal action against the petitioners in view of the

amicable resolution of differences between the parties. The learned counsel for the respondent no.2, Mr. Nishad, reiterates that his client has no objections to the quashing of the FIR and all related proceedings. Additionally, the respondent no.2 has filed an affidavit of consent dated 1st October, 2025 documenting her settlement and agreement to the current proceedings. The same can be found at page 165 of this petition. The said affidavit states that pursuant to the filing of the FIR, by intervention of family and friends, the differences between the petitioners and the respondent no.2 have been resolved amicably and they have decided to part ways and live peacefully in the society. The affidavit further reiterates that the said consent terms are also filed in Petition No.1159/2025 u/s 13B of the Hindu Marriage Act, 1955 for Divorce by Mutual Consent before the Learned Family Court at Pune. A copy of the said application is also annexed to the petition as “Exhibit-C”.

3. The law as laid down in “*B.S. Joshi v. State of Haryana*” (2003) 4 SCC 675 reiterates that the Court is empowered to quash the criminal proceedings to meet the ends of justice, especially in light of matrimonial disputes wherein the complainant no longer wishes proceed with prosecution. In view of the above, **Writ Petition No.4939 of 2025 is allowed** in terms of prayer clauses (A) and (B), which read as under:

[A] This Criminal Writ Petition may kindly be allowed, thereby the F.I.R. bearing Crime No.2671 dated 28.12.2020 registered with Sinhgad Road Police Station, Pune for offence punishable under section 498-A, 377, 354, 313, 323, 504, 506, 324 of the Indian Penal Code as against the petitioners may kindly be quashed and set aside.

[B] The Sessions Case bearing its registration No.489/2022 pending before 17th District & Sessions Judge at Pune may kindly be quashed and set aside.”

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]