

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

CRIMINAL WRIT PETITION NO.5032 OF 2025

Khelan Bhupesh Parmar & Anr.

...Petitioners

Vs.

The State of Maharashtra & Anr.

...Respondents

Mr. Kunal Tiwari i/by K. Juris Law Firm, for the Petitioners.

Ms. Sangeeta D. Shinde, APP for the Respondent No.1-State.

Mr. Ram Singh a/w Adv. K. R. Tiwari, for the Respondent No.2.

PSI- Chavan R. K. Kandivali Police Station, Mumbai, present.

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

DATED : 30th SEPTEMBER, 2025

P.C. :-

- 1) This is a Petition for quashing of the proceedings bearing C.C. No.3470/PW/2023 pending before the learned Judicial Magistrate First Class, 17th Court, Borivali arising out of C.R. No.1185 of 2022 dated 21st August, 2022 registered at Kandivali West Police Station, Mumbai under Sections 498(A), 406, 323, 504, 506 read with 34 of the Indian Penal Code.
- 2) Heard Mr. Tiwari, learned Counsel for the Petitioners, Ms. Shinde, learned APP for the Respondent No.1-State & Mr. Singh, learned Counsel for the Respondent No.2.
- 3) The F.I.R. is lodged by the Respondent No.2. The Petitioner No.1 is her husband and Petitioner No.2 is her mother-in-law. It is not

necessary to refer to the allegations against the Petitioner because the parties have arrived at a settlement and the prayer is made for quashing by consent.

4) Briefly stated, the allegations are that the Respondent No.2 got married with the Petitioner No.1 on 15th December, 2006. After that, she started residing at Ahmedabad with the Petitioners. The F.I.R. is a long document wherein various instances and grievances are made right from the year 2007 up to year 2022. The main allegations are that the Respondent No.2 was ill treated. She gave birth to her daughter in 2013. The Petitioner's family was not happy. She was not supported by the Petitioners. The Petitioner No.1 had relations with other women. Since March, 2022 the Respondent No.2 started residing with her parents. In April, 2022 she tried to go to her matrimonial house but she was not allowed to meet them. The Petitioners had retained her *streedhan*.

5) The charge-sheet contains statements of her parents. They have supported her case. Now, the matter is completely settled between the parties. They had filed Consent Terms in divorce petition in the Family Court at Bandra. The Respondent No.2 has filed her Affidavit in the present Petition. She has stated in the Affidavit that, she had arrived at a mutual settlement and she has no objection for quashing of these proceedings. In the Affidavit, the C.R. number is wrongly mentioned but the case number is correctly mentioned.

6) The Respondent No.2 is present in the Court. She is identified by her learned Counsel. She reiterated the contents of her Affidavit and she stated before the Court that the settlement is arrived at to her satisfaction and she has no objection for quashing of the present Writ Petition.

7) Considering that, it was dispute between husband and wife and since the parties have settled the matter, no purpose would be served by continuing the criminal prosecution. Therefore, we are inclined to allow this Writ Petition. Hence, the following Order :-

:: ORDER ::

- (i) The proceedings bearing C.C. No.3470/PW/2023 pending before the learned Judicial Magistrate First Class, 17th Court, Borivali arising out of C.R. No.1185 of 2022 dated 21st August, 2022 registered at Kandivali West Police Station, Mumbai under Sections 498(A), 406, 323, 504, 506 read with 34 of the Indian Penal Code, are quashed and set aside.
- (ii) Petition is disposed of.

(SHYAM C. CHANDAK, J.)

(SARANG V. KOTWAL, J.)