

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

CRIMINAL WRIT PETITION NO. 5165 OF 2025

Vishal Gorakh Baviskar & Ors.

..Petitioners

Versus

The State of Maharashtra & Anr.

..Respondents

Mr. Nikhil Kasbekar a/w. Roshan Sawant, Advocate for Petitioners.

Ms. Sangita E. Phad, APP for State/Respondent.

Ms. Aarti Bhoirkar, Advocate for the Respondent No.2.

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

DATE : 08 OCTOBER 2025

PC :

1. This is a petition for quashing of the proceedings arising out of the C.R.No.600 of 2023 registered at Lonavala city police station, Pune Rural, on 31.12.2023, under sections 498-A, 323, 504 and 506 r/w. 34 of the I.P.C., and the charge-sheet resulted in R.C.C.No.585 of 2025, and the proceedings are pending before the J.M.F.C., Vadgaon – Maval.

2. The F.I.R. was lodged by the Respondent No.2. The Petitioner No.1 was her husband, the Petitioner No.2 was her

mother in law, the Petitioner No.3 was her brother in law and the Petitioner No.4 was her sister in law. There are two more accused; one is the father in law of the first informant and the other is the husband of the Petitioner No.4. But they have not filed this petition. This petition is filed for quashing by consent. Therefore, we have heard the learned counsel for the parties. Since the matter is settled between the parties, it is not necessary to refer to the allegations in detail.

3. Briefly stated, the allegations are that the Respondent No.2 got married with the Petitioner No.1 on 22.05.2022. At that time, her mother had spent almost Rs.20 lakhs during the marriage. It is her case that the Petitioner No.1 continuously persuaded her to get married with him. Ultimately, she relented and got married with the Petitioner No.1. Initially, she was treated well. Thereafter she was illtreated by the Petitioners. There are various instances mentioned in the F.I.R. She came to know that the Petitioner No.1 was addicted to liquor. He used to harass her more after consuming liquor. The other petitioners used to support him. They used to abuse her. The mother in law and the sister in

law, in particular, used to instigate him.

4. On 21.02.2023, the Petitioner No.1 abused and beat her. She was asked to leave the house. He wanted divorce. On the next day, she left her matrimonial house and went to reside with her mother. On these allegations the F.I.R. was lodged.

5. As can be seen from the F.I.R., there are only few general allegations against Gorakh Baviskar and Sachin More who have not filed this petition. Therefore, considering that the matter is settled between the parties, we are considering quashing of the entire proceedings against all the accused including Gorakh Baviskar and Sachin More.

6. The charge-sheet contains the statements of the mother, sister and grand-mother of the Respondent No.2. All of them have supported her case. The matter is now settled. The Respondent No.2 has filed her Affidavit giving no objection for quashing of the proceedings. She has filed the proceedings under the Protection of Women from Domestic Violence Act, vide D.V.Case No.42 of 2024 before the learned J.M.F.C., Vadgaon Maval. It is already

withdrawn and disposed of vide the order dated 21.03.2025. She had also obtained divorce by mutual consent by filing M.P No.1152 of 2023 before the C.J.S.D., Kalyan. This matter is completely settled between the parties. The Respondent No.2 has given her no objection for quashing of the proceedings. She has stated that, she is not desirous in pursuing the present proceedings. The Respondent No.2 is present before the Court. She is identified by her learned counsel. She reiterated the averments in her Affidavit.

7. Considering this situation and in the interest of justice and in the interest of the parties, we are inclined to allow this petition.

8. Hence, the following order:

ORDER

- i) The F.I.R. registered vide C.R.No.600 of 2023 at Lonavala city police station, Pune Rural, on 31.12.2023, under sections 498-A, 323, 504 and 506 r/w. 34 of the I.P.C., and the charge-sheet resulted in R.C.C.No.585 of 2025 pending before

the learned J.M.F.C., Vadgaon Maval, are quashed and set aside against all the accused.

ii) The Writ Petition is disposed of.

(SHYAM C. CHANDAK, J.)

(SARANG V. KOTWAL, J.)