

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

CRIMINAL WRIT PETITION NO. 5166 OF 2025

Bhushan Parmanand Hotkar & Ors.	..Petitioners
Versus	
The State of Maharashtra & Anr.	..Respondents

Mr. P. R. Rathod a/w. Yogesh Rathod for Petitioners.
Ms. Sangeeta D. Shinde, APP for State/Respondent.
Mr. Vishal Patil, 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 C.R.No.295 of 2024 registered at Kolsewadi police station, District Thane, on 14.02.2024, under sections 354, 323, 504 and 506 r/w. 34 of the I.P.C., resulted in R.C.C.No.5532 of 2024 pending before the 4th J.M.F.C.,Kalyan. A prayer is made for quashing of these proceedings.

2. The F.I.R. is lodged by the Respondent No.2 who is step-mother of the Petitioner Nos.1 and 3. The Petitioner No.2 is wife of

the Petitioner No.1. The parties are closely related and have settled their dispute. Therefore, it is not necessary to refer to the allegations in detail. However, briefly stated, the allegations in the F.I.R. are that the first informant-Respondent No.2 was the second wife of the father of the Petitioner Nos.1 and 3. She along with her husband Parmanand were staying separately from the petitioners. There was a property dispute. On 09.02.2024, the Respondent No.2 had engaged some labourers to repair her husband's room. The Petitioners came there and asked her to stop the work. There was a quarrel. The Respondent No.2 and her husband tried to pacify them. However, they continued quarreling with the Respondent No.2. There are allegations that the Petitioner No.1 outraged her modesty and all the petitioners assaulted and abused the Respondent No.2 and her husband. On these allegations the F.I.R. was lodged. The investigation was over and the charge-sheet was filed. The charge-sheet contains the statement of her husband i.e. the statement of the father of the Petitioner Nos.1 and 3. He has supported the case of the Respondent No.2.

3. After all this, now the matter is settled between the

parties. The Respondent No.2 has filed her consent affidavit. She has stated that the parties are closely related and as a moral duty she was giving her consent to quash the proceedings. She has stated that the dispute is resolved finally. The F.I.R. was filed out of some misunderstanding and it was filed inadvertently. She has given her specific no objection for quashing of these proceedings.

4. The Respondent No.2 is present before the Court. She is identified by her learned counsel. She reiterated the contents of her affidavit and submitted that she has no objection for quashing of the proceedings.

5. Considering the close relations between the parties and specific no objection given by the Respondent No.2, we are inclined to allow this petition in the interest of justice and in the interest of the parties.

6. Hence, the following order:

ORDER

- i) The F.I.R. registered vide C.R.No.295 of 2024 at Kolsewadi police station, District Thane, on

14.02.2024, under sections 354, 323, 504 and 506 r/w. 34 of the I.P.C., and the resultant R.C.C.No.5532 of 2024 pending before the 4th J.M.F.C.,Kalyan, are quashed and set aside.

ii) The Writ Petition is disposed of.

(SHYAM C. CHANDAK, J.)

(SARANG V. KOTWAL, J.)