

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

CRIMINAL WRIT PETITION NO. 5195 OF 2025

Harshit Shah and Ors.

.... Petitioners

V/s.

The State of Maharashtra and anr.

.... Respondents

Ms. Sapana Rachure for the Petitioners.

Ms. Sangita Phad, APP for the Respondent No.1 – State.

Mr. Nainesh Amin a/w. Ms. Aditi Karanjkar for the Respondent No.2.

Mrs. Sukeshini Karande, PSI and Mr. Ayubkhan Pathan, PSI, Sion Police Station, present.

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

DATED : 09th OCTOBER, 2025

P.C. :-

. This is a Petition for quashing of the FIR registered at Sion Police Station, Mumbai *vide* C.R.No.267/2024 on 09/08/2024 under Sections 498-A, 406 read with 34 of the Indian Penal Code and the consequent proceedings arising out of the said C.R.

2) Heard Ms. Sapana Rachure, learned Counsel for the Petitioners, Ms. Sangita Phad, learned APP for Respondent No.1 – State and Mr. Nainesh Amin, learned Counsel for the Respondent No.2.

3) The FIR is lodged by the Respondent No.2. The Petitioner No.1 is her husband. The Petitioner Nos.2 and 3 are his parents and the Petitioner No.4 is his sister. The parties have not only settled the matter

now but they are residing together. In this background, we have considered the prayer for quashing. The FIR was lodged by the Respondent No.2. In view of the settlement and the present situation, it is not necessary to refer to the allegations in the FIR in detail. Briefly stated, the Respondent No.2 got married with the Petitioner No.1 on 14/05/2007. There are allegations that she was made to work in the house till she was tired. When she was pregnant, even then she was made to work resulting in abortion. After that, she gave birth to her daughter. The FIR mentions that on some occasions, even the Petitioner No.1 was not treated properly by his parents but they reconciled and only the Respondent No.2 was ill-treated. There are allegations of misappropriation of the ornaments. The Petitioner No.4 is residing in USA. On all these allegations, the FIR is lodged. There were other proceedings under Protection of Women from Domestic Violence Act, 2005 as well.

4) Now, the dispute is settled between the parties. The Respondent No.2 has filed her Affidavit giving her specific no objection for quashing of the present proceeding. She is present in the Court. She informed the Court that she is residing peacefully with the Petitioner No.1 and there is no dispute with the other Petitioners as well. She has no objection for quashing of the present proceedings. She reiterated the contents of the Affidavit. Therefore, in the interest of justice and in the interest of parties, we are inclined to allow this Petition.

5) Since during the investigation, the ornaments were seized by the police from the Petitioner No.1 and since we are quashing the proceedings, those ornaments be returned to the Petitioner No.1 because the Respondent No.2 has no objection if the ornaments are returned to the Petitioner No.1. The Respondent No.2 has specifically made those submissions before the Court. Hence, the following Order :-

(a) The FIR registered at Sion Police Station, Mumbai *vide* C.R.No.267/2024 on 09/08/2024 under Sections 498-A, 406 read with 34 of the Indian Penal Code and the consequent proceedings arising therefrom, are quashed and set-aside.

6) The Petition is disposed of in aforesaid terms.

(SHYAM C. CHANDAK, J.)

(SARANG V. KOTWAL, J.)

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