

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

CRIMINAL WRIT PETITION NO. 5206 OF 2025

Sayan Prabir Chatterjee

.... Petitioner

V/s.

The State of Maharashtra and anr.

.... Respondents

Mr. Pawan Pandey a/w. Ms. Suman Gupta and Ms. Pooja Upadhyay
for the Petitioner.

Ms. Dhanalaxmi Krishnaiyer, APP for the Respondent No.1 – State.

Mr. C.J. Chauhan for Respondent No.2.

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

DATED : 09th OCTOBER, 2025

P.C. :-

. This is a Petition for quashing of the proceedings arising out
C.R.No.298/2017 registered at Oshiwara Police Station, Mumbai on
07/08/2017 under Sections 354(b), 323, 504, 506 of the Indian Penal Code
and the resultant criminal proceeding pending before the learned Judicial
Magistrate First Class, Railway Court, Andheri.

2) Heard Mr. Pawan Pandey, learned Counsel for the Petitioner,
Ms. Dhanalaxmi Krishnaiyer, learned APP for the Respondent No.1 – State
and Mr. C.J. Chauhan, learned Counsel for the Respondent No.2.

3) The Petitioner was the husband of the Respondent No.2. The
parties have settled the matter. There was another case pending under
Section 498-A of the IPC in which the Petitioner was acquitted. As far as

this case is concerned, it pertains to the incident dated 07/08/2017. She had described the incident in her FIR. At that time, she was still residing with the Petitioner and yet the divorce proceedings were pending before the Family Court at Bandra. On 07/08/2017, the case was adjourned for future date. The Petitioner had got angry and started abusing the Respondent No.2. There are allegations that he outraged her modesty. On these allegations, the FIR is lodged.

4) Now, the matters are completely settled between the parties. The Respondent No.2 has filed her affidavit-in-reply giving her specific no objection for quashing of the present proceeding arising out of C.R.No.298/2017 registered at Oshiwara Police Station. She is present before the Court. She is identified by her learned Counsel. She submitted before the Court that the Petitioner had suffered brain strokes on two occasions in the past. Everything is settled and therefore, she does not want to prosecute it any further.

5) Considering her specific stand, no purpose would be served in continuation of the criminal proceedings. Therefore, we are inclined to allow this Petition. Hence, the following Order :-

(a) The proceedings arising out C.R.No.298/2017 registered at Oshiwara Police Station, Mumbai on 07/08/2017 under Sections 354(b), 323, 504, 506 of the Indian Penal Code and the resultant criminal proceeding pending before the

learned Judicial Magistrate First Class, Railway Court,
Andheri, 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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