

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

CRIMINAL WRIT PETITION NO. 5222 OF 2025

Jitendra Arvind Pathak

..Petitioner

Versus

The State of Maharashtra & Anr.

..Respondents

Mr. Bharat Gadhavi for Petitioner.

Ms. Dhanalaxmi Krishnaiyar, APP for State/Respondent.

Mr. Sarvesh Deshpande for the Respondent No.2.

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

DATE : 10 OCTOBER 2025

PC :

1. This is a petition for quashing of the proceedings arising out of C.R.No.157 of 2015 registered at Deccan Police Station, Pune, on 19.05.2015, U/s.498-A of the I.P.C., resulting in R.C.C.No.4770 of 2015 pending before the 18th J.M.F.C., Pune.

2. Heard Mr. Bharat Gadhavi, learned counsel for the Petitioner, Ms. Dhanalaxmi Krishnaiyar, learned APP for the State and Mr. Sarvesh Deshpande, learned counsel for the Respondent No.2.

3. In this case the charge-sheet is already filed. The exact allegations are referred to in Column No.16 of the charge-sheet. It is mentioned in that column that, after the marriage, the Petitioner who is the husband of the Respondent No.2-first informant started illtreating her by raising suspicion about her character. He used to start shouting and used to throw the articles. He used to humiliate and insult the first informant. He used derogatory words against the parents of the informant. He used to beat her. In short, she was illtreated mentally and physically. On these allegations the F.I.R. was lodged. The charge-sheet contains the statements of the informant's mother and her acquaintances. They have supported the allegations of the Respondent No.2.

4. Now, the matter is completely settled between the parties. We are informed that they had filed the divorce petition, but they had withdrawn those proceedings and the parties are living together. They are residing peacefully with their 22 year old son. In short, today, they are a happy family.

5. The Respondent No.2, as well as, the Petitioner are

present in the Court. The Respondent No.2 has filed her Affidavit. She has stated that, after filing of the F.I.R., she continued residing with the Petitioner and their son. She had unconditionally withdrawn the divorce proceedings on 08.08.2025 before the Family Court at Pune. She did not want to contest any proceedings against the Petitioner and desired to live together in the same house along with their son. The F.I.R. was lodged on the spur of the moment and she did not want to continue with the criminal proceedings. She has stated that the relations between the Petitioner and herself are on good terms and considering the overall family aspects and for the sanctity of the family, it was necessary to close the criminal proceedings.

6. Considering this development and, particularly, taking into account the fact that the Petitioner and the Respondent No.2 are residing together with their son as a happy family, no purpose would be served by continuing with the criminal proceedings. The Respondent No.2 has given her no objection in the Affidavit. She is present in the Court. She is identified by her learned counsel. She informed the Court that there is no problem between both of them

and they are living happily together. She does not have any apprehension about her future either. Considering this circumstance, we are inclined to allow this petition.

7. Hence, the following order:

O R D E R

- i) The proceedings arising out of C.R.No.157 of 2015 registered at Deccan Police Station, Pune, on 19.05.2015, U/s.498-A of the I.P.C., resulting in R.C.C.No.4770 of 2015 pending before the 18th J.M.F.C., Pune, are quashed and set aside.
- ii) The Writ Petition is disposed of.

(SHYAM C. CHANDAK, J.)

(SARANG V. KOTWAL, J.)