

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

CRIMINAL WRIT PETITION NO.5524 OF 2025

Chandramohan Ramkishor Thakur,]
R/at : Chembur (East), Mumbai.] .. Petitioner

Versus

1. State of Maharashtra,]
Through RCF Police Station]
2. Mrs. Lagina Ramkishor Thakur]
3. Mr. Suryamohan Ramkishor Thakur]
Both residing at Mhada Colony,]
Chembur, Mumbai.] .. Respondents

Mr. Chandrakant Pawar and Mr. Yash Arora (through V.C.),
Advocates for the Petitioner.

Mr. Amogh S. Vaidya, Advocate for Respondent Nos.2 and 3.

Mrs. M.M. Deshmukh, Public Prosecutor, with Mr. K.V. Saste,
Additional Public Prosecutor for the Respondent-State of
Maharashtra.

Mr. Devidas Palve, API, with Mr. Pradeep Shinde (Pairavi), RCF
Police Station are present in Court.

**CORAM : SHREE CHANDRASHEKHAR, CJ. &
GAUTAM A. ANKHAD, J.**

DATE : 4TH NOVEMBER 2025.

[THROUGH HYBRID HEARING]

PER, GAUTAM A. ANKHAD, J. :

The present Writ Petition is filed under section 528 of the
Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing, by
consent, of the C.R. No.415 of 2025 registered with the R.C.F Police
Station under sections 109 of the Bhartiya Nyaya Sanhita, 2023.

2. The FIR was registered against the petitioner at the instance of
the respondent no.2 (original complainant) who is the mother of
both the petitioner and the respondent no.3.

3. The parties have now settled their family disputes. The respondent no.2 and 3 have filed their affidavits dated 10th October 2025 recording their consent to the quashing of the FIR and any proceedings arising therefrom. The said affidavit at paragraph no.4 also mentions that the petitioner had only in sudden and grave provocation committed the said offences arising out of the family disputes between the parties. Mr. Vaidya, the learned counsel for the Respondent No.2 and 3 reiterates his clients' no objection to the quashing of FIR. The said affidavits are taken on record and marked as "X" and "X-1" for identification. The petitioner and the respondent nos.2 and 3 are present in Court. Through their advocates, they have signed and submitted their handwritten appearance which is taken on record.

4. The continuation of present proceedings will not serve any purpose. The law as laid down in "*Pramod Kumar Agrawal v. State of M.P., (2021) 17 SCC 802*" reiterates that the Court is empowered to quash the criminal proceedings to prevent the abuse of process of law and meet the ends of justice, if it is in the nature of family disputes arising from civil matters. In view of the above, Writ Petition No.5524 of 2025 is allowed in terms of prayer clause (b), which reads as under:-

"(b) The Hon'ble Court may by invoking Writ Jurisdiction under Article 226 of the Constitution of India and by exercising its inherent powers under Section 528 of the Bhartiya Nyaya Suraksha Sanhita issue appropriate rate, order or direction in the FIR bearing C.R. No. 415 of 2025 registered with the R.C.F Police Station under sections 109 of the Bhartiya Nyaya Sanhita, 2023 be quashed and set aside."

5. There would be no order as to costs.

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]

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