

Vina Khapde
(P.S.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION (APL) NO.7 OF 2025

Mohammed Azim Zaffar Shaikh and anr .. Applicants
Versus
The State of Maharashtra and anr .. Respondents

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- Mr. Yusuf S. Mithi for the Applicants.
 - Mr. S. V. Gavand, APP for the Respondent – State.
 - Ms. Tanvi Rane i/b. Ms. Aisha Shailon a/w Nusrat Sayyed for Respondent No.2.
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CORAM : SARANG V. KOTWAL &
S.M. MODAK, JJ.

DATE : 4th FEBRUARY 2025

P.C.:

1. This Application is for quashing of the FIR registered vide C. R. No.648/2024 at Kurla Police Station, Mumbai dated 11/12/2024 under Sections 318(4) and 3(5) of the Bharatiya Nyaya Sanhita, 2023, and Section 4 of the Dowry Prohibition Act, 1961. The FIR was lodged by Respondent No.2.

2. Heard Mr. Yusuf S. Mithi, the learned Counsel for the Applicants, Mr. Gavand, the learned APP for the Respondent-State, and Ms. Tanvi Rane, the learned Counsel for Respondent No.2.

3. The gist of the FIR is that the informant / Respondent No.2 and Applicant No. 1 were to get married. The Applicant No.2 is the mother-in-law of the informant. The allegations are that Respondent No.2 and

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the Applicant No.1 were engaged. Their engagement took place on 25/5/2024 and the wedding date was fixed as 12/12/2024. They had even booked the marriage hall at HKB Lawn, Jogeshwari (East). The Applicant's family demanded Rs.7,50,000/- from the complainant's family towards the marriage expenses. The Respondent No.2 agreed to pay that amount. The FIR thereafter goes on to mention that there was some further demands made by Applicant No.1. On 6/12/2024, he demanded Rs.15 Lakhs dowry and told her that unless the said amount was paid, he would not marry her. In the meantime, the Respondent No.2's family had spent substantial amount for the marriage expenses. But the Applicant No.1 refused to marry her. Therefore, on these allegations, FIR was lodged.

4. Now the parties have settled their dispute. The Respondent No.2 has filed an affidavit-in-reply giving her consent for quashing of the criminal proceedings. There is a reference to payment of certain amount. The learned Counsel for the Applicants and the Respondent No.2 jointly submitted before the Court that the said amount is paid. The Respondent No.2 in paragraph 13 has specifically stated that in view of the amicable settlement, she has no objection for quashing of the said FIR. The first informant / Respondent No.2 is present in the Court. She is identified by her learned Counsel. The informant herself stated before the Court that she has no objection for quashing of the proceedings. Considering that the dispute is purely personal between

the parties and since they have decided to settle the dispute and since the Respondent No.2 has no objection to quash the FIR, we are inclined to allow the Application. Hence, the following order :

ORDER

- (i) The FIR registered vide C. R. No.648/2024 at Kurla Police Station, Mumbai dated 11/12/2024, and all the consequential proceedings arising out of the said FIR, are quashed and set aside.
- (ii) Application is disposed of.

[S.M. MODAK, J.]

[SARANG V. KOTWAL, J.]