

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.99 OF 2025

1. **Javed Jamsher Khan**

Aged about : 43 Years, Occupation : Service,
Residing at : Plot No.12/C, Survey No.186,
Sunni Eidgah Road, Supreme Colony,
Near Mamta Bakery, Jalgaon, Khandesh,
Jalgaon.

2. **Nasim Bano Jamsher Khan**

Aged about : 67 Years, Occupation : Service,
Residing at : Plot No.12/C, Survey No.186,
Sunni Eidgah Road, Supreme Colony,
Near Mamta Bakery, Jalgaon, Khandesh,
Jalgaon.

3. **Vajid Jamsher Khan**

Aged about : 38 Years, Occupation : Service,
Residing at : Plot No.12/C, Survey No.186,
Sunni Eidgah Road, Supreme Colony,
Near Mamta Bakery, Jalgaon, Khandesh,
Jalgaon.

...Applicants

Versus

1. **The State of Maharashtra**

(At the instance of Bhandup Police Station)

2. **Rubinani Javed Khan**

Aged about : 28 Years, Occupation : Nil,
Indian inhabitant, Residing at : Ram Murat
Chawl, Room No.1, Azad Nagar, Sonapur,
Bhandup (West), Mumbai : 400 078.

...Respondents

Mr.Abhishek Jha i/b. Jha Legal Associates – Advocate for
Applicants.

Smt.M.H.Mhatre – APP for Respondent No.1 – State.

Satish Sangar

Mr.Ninad Bhabal i/b. Ms.Sanjana Tanawade – Advocate for Respondent No.2.

**CORAM : SARANG V. KOTWAL &
S.M.MODAK, JJ.**

DATE : 21st FEBRUARY 2025

P.C. :

1. This is an Application for quashing of the F.I.R. lodged at Bhandup Police Station vide C.R. No.280 of 2018 on 6th August 2018 and the consequent criminal case pending vide Police Case No.PW/113 of 2019 pending before the learned Judicial Magistrate First Class, 53rd Court, Mulund.

2. Heard learned counsel Mr.Abhishek Jha for the Applicants, learned counsel Smt.M.H.Mhatre – APP for Respondent No.1 – State and learned counsel Mr.Ninad Bhabal for Respondent No.2.

3. The Applicant No.1 is Respondent No.2's husband. The Applicant No.2 is his mother. The Applicant No.3 is his brother. The F.I.R. lodged by the Respondent No.2 mentions, that she had earlier married her first husband in the year 2014. There was a divorce between them. After that, she got married with the Applicant No.1 on 5th September 2015. At that time, her parents had spent for the expenses. They had given

household articles and ornaments. Within four months of the marriage, the mother-in-law started ill-treating her because according to her, the informant had not brought sufficient money. The Respondent No.2 came to know, that the Applicant No.1 was already married three times and he had a son from his first marriage. She came to know, that there was a criminal prosecution launched against him because of which he had lost his job.

In 2016, she was pregnant and was blessed with a daughter. Initially, none of the Applicants went to see her new born baby but after about two months, the Applicant No.1 took her back to the matrimonial house. Even thereafter, the ill-treatment continued. On one occasion, the Respondent No.2 was kept out of the house for the entire night. Thereafter, the demand for money continued. Ultimately, she went back to stay with her parents.

On these allegations, the F.I.R. is lodged.

4. Now, the matter is settled between the parties. They have filed “consent terms” which are annexed to this Application. In that “consent terms”, the Respondent No.2 has clearly stated in paragraph No.3, that the present F.I.R. be

quashed at the earliest.

She is present in the Court. She is identified by her learned counsel. She has stated before the Court, that she has “No objection” for quashing of the proceedings. She is satisfied with the settlement. The daughter is staying with her.

5. The dispute between the parties is purely personal in nature. The society at large is not involved. The matter is settled between the parties. There is no point in continuing with the prosecution. Hence, following order:-

O R D E R

- (i) The C.R.No.280 of 2018 registered with Bhandup Police Station, and the proceedings viz., Police Case No.PW/113 of 2019 pending before the learned Judicial Magistrate First Class, 53rd Court, Mulund are quashed and set aside.
- (ii) With these observations, the Application is disposed of.

(S.M.MODAK, J.)

(SARANG V. KOTWAL, J.)