

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

CRIMINAL APPLICATION NO.154 OF 2025

Mariyam Siraj SorathiyaApplicant
Versus
The State of Maharashtra
and anotherRespondents

Mr. Ashutosh Singh, Advocate for the Applicant.
Mr. Y.M. Nakhwa, APP for the Respondent No.1-State.
Ms. Nazneen Khatri, Advocate a/w. Khatri Mohamed Adil, Sagar
Samel for the Respondent No.2.

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

DATE : 24th FEBRUARY, 2025

P.C. :

1. This is an Application for quashing of the FIR registered vide C.R. No.256/2024 at Mahim police station, Mumbai on 7.6.2024 under Sections 354, 323, 504 of IPC.

2. Heard Mr. Ashutosh Singh, learned counsel for the Applicant, Mr. Y.M. Nakhwa, learned APP for the Respondent No.1-State and Ms. Nazneen Khatri, learned counsel for the Respondent No.2.

3. The FIR is lodged by the Respondent No.2. The Applicant is her husband's brother's wife. The FIR refers to the incident dated 3.2.2024 which had taken place at about 9.15 p.m.. It is her case that the Applicant had lodged a false case for domestic violence. Therefore, the Respondent No.2's husband was discussing about the same. The Applicant came there and picked up a quarrel with the Respondent No.2's husband. It is mentioned in the FIR that the Applicant assaulted her and outraged her modesty. On these allegations, the FIR is lodged.

4. Now the matter is settled between the parties. The Respondent No.2 has filed her affidavit giving her no objection for quashing of these proceedings. It is mentioned in the affidavit that the Applicant is no more residing with their family and it will be in the interest of all the parties that the proceedings are quashed.

5. The Respondent No.2 is present before the Court. She is identified by learned counsel for the Respondent No.2. She stated before the Court that she has no objection for quashing of these proceedings.

6. The incident was reported to the police station after

two months. There is a background of long standing dispute between the Applicant on one side and her husband's family on the other. The Respondent No.2 was her husband's brother's wife. The matter is now settled between the Applicant and her husband. The consent terms are annexed to this Application. The society at large is not involved. Considering this situation, there is no point in continuing with the criminal prosecution. Therefore, we are inclined to allow this Application.

7. Hence, the following order:

:: O R D E R ::

- i. The FIR being C.R. No.256/2024 at Mahim police station, Mumbai as well as the consequent proceedings arising therefrom, are quashed and set aside.
- ii. The Application is disposed of accordingly.

(S.M. MODAK, J.)

(SARANG V. KOTWAL, J.)

Deshmane (PS)

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