

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

CRIMINAL APPLICATION NO.155 OF 2025

Mariyam Siraj Sorathiya	Applicant
Versus	
The State of Maharashtra and another	Respondents

Mr. Ashutosh Singh, Advocate for the Applicant.
Mr. B.V. Holambe-Patil, APP for the Respondent No.1-State.
Ms. Nazneen Khatri, Advocate a/w. Khatri Mohamed Adil, 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.250/2024 at Mahim police station, Mumbai on 5.6.2024 under Sections 337, 323, 504, 427 of IPC.
2. Heard Mr. Ashutosh Singh, learned counsel for the Applicant, Mr. B.V. Holambe-Patil, learned APP for the Respondent No.1-State and Ms. Nazneen Khatri, learned counsel for the Respondent No.2.
3. Learned APP informed the Court that the charge-

sheet in this case is already filed. However, all the allegations are mentioned in the FIR itself. The FIR is lodged by the Respondent No.2, who was husband of the Applicant No.1. He has stated in the FIR that there was marital discord between both of them. The incident, which is the subject matter of the FIR took place on 13.5.2024 at around 7.00 p.m.. The Applicant came to his house and demanded her maintenance amount. He told the Applicant that he would pay after two days. She got angry. She assaulted him. She slapped him and kicked him. She threw some medicine bottle towards him, but, it hit their daughter causing minor injuries. On these allegations, the FIR is lodged.

4. The matter is now settled between the parties. There were various disputes and proceedings pending between the parties. They have entered into consent terms through the deed of settlement dated 26.11.2024. A copy of the same is annexed to this Application. The Respondent No.2 has filed his affidavit-in-reply giving his specific no objection for quashing of these proceedings. He has stated in the affidavit that the matter is settled between the parties and it would be in the interest of the parties to lead stress free life particularly in the interest of the

children. He is present in the Court. He is identified by his learned counsel. He reiterated the statements made in the affidavit-in-reply. He stated before the Court that he has no objection for quashing of the proceedings.

5. The dispute between the parties is purely personal in nature. They have settled the disputes. With this settlement, many litigations are put to rest. Therefore, there is no point in continuing with this prosecution as well. Therefore, we are inclined to allow this Application.

6. Hence, the following order:

:: O R D E R ::

- i. The FIR being C.R. No.250/2024 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.)