

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

CRIMINAL APPLICATION NO.156 OF 2025

Mariyam Siraj Sorathiya
and others

.....Applicants

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, Tasmiya Memon 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.551/2024 at Mahim police station, Mumbai on 25.10.2024 under Sections 74, 79, 115, 351(2), 314, 315 of the Bharatiya Nyaya Sanhita, 2023 (for short, 'BNS').

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. The FIR is lodged by the Respondent No.2. The Applicant No.1 was her husband's brother's wife. The Applicant Nos.2 & 3 are parents of the Applicant No.1. The Respondent No.2, in her FIR, has stated that there was marital dispute between the Applicant No.1 and her husband. The subject matter of the FIR was the incident dated 24.10.2024. The Applicant No.1 came to their common house and started quarreling with her own husband demanding more maintenance amount. She started quarreling with the Respondent No.2 and her other family members. There are allegations that the Applicant No.1 assaulted her and outraged her modesty. They went to the police station. The other two Applicants came to the police station and uttered some words, again outraging modesty of the Respondent No.2. On these allegations, the FIR is lodged.

4. The matter is now settled between the parties. There was basically dispute between the Applicant No.1 and her husband. They have entered into the settlement deed dated 26.11.2024. A copy of the same is annexed at Exhibit-B to this Application.

5. The Respondent No.2 has filed her affidavit-in-reply wherein she has referred to the settlement deed and has

specifically mentioned that she has no objection for quashing of these proceedings.

6. The Respondent No.2 is present in the Court. She is identified by her learned counsel. She reiterated the averments made in the affidavit. She stated before the Court that she has no objection for quashing of these proceedings.

7. The dispute between the parties is purely personal in nature. There were many cases and counter cases. The matter is specifically settled between them. The society at large is not involved. It would be in the interest of all the parties concerned that the criminal prosecution is quashed. Therefore, we are inclined to allow this Application.

8. Hence, the following order:

:: O R D E R ::

- i. The FIR being C.R. No.551/2024 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.)