

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

CRIMINAL APPLICATION NO.234 OF 2025

Karan Rajendra Gupta
and others

.....Applicants

Versus

The State of Maharashtra
and another

.....Respondents

Mr. Vidit D. Kumat, Advocate for the Applicants.

Smt. M.H. Mhatre, APP for the Respondent No.1-State.

Mr. Chirag Rathod, Advocate h/f. Vijay Thakur i/b. Thakur &
Associates for the Respondent No.2.

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

DATE : 04th APRIL, 2025

PC. :

1. Heard Shri Vidit Kumat, learned counsel for the Applicants, Smt. M.H. Mhatre, learned APP for the Respondent No.1-State and Shri Chirag Rathod, learned counsel for the Respondent No.2.

2. The Petitioner No.1 is the husband of the Respondent No.2, the Petitioner Nos.2 & 3 are her in-laws, whereas the other Petitioners are the relatives of the Petitioner No.1.

3. There is an FIR being C.R. No.61/2021 registered with Naya Nagar police station, Mira-Bhayandar, Thane on 13.2.2021 under Sections 498-A, 406, 323, 504 read with 34 of IPC on the complaint of the Respondent No.2. The offence arises out of the matrimonial relationship in between the Petitioner No.1 and the Respondent No.2. They married on 26.4.2019. They cohabited together at Mira-Road. They continued to cohabit till 17.1.2020. The first informant contended that she was mentally harassed by the Petitioners on various reasons. Even she was not allowed to go out of the matrimonial house. Her *stridhan* articles were not given to her. She was treated just like a maid-servant. These are sum and substance of the allegations in the FIR. On this background, the FIR came to be lodged. The police have conducted the investigation and filed the charge-sheet. There are statements of witnesses. They are more or less on the same lines as per the averments in the FIR.

4. In this background, the Petitioner No.1 has filed a divorce petition before the Family Court, Bandra. In the meantime, both the parties have decided to settle the dispute and to separate themselves. They have entered into the memorandum of understanding. All the terms are mentioned therein including

permanent alimony and other aspects.

5. Today, the Respondent No.2 is present. She has filed her affidavit thereby giving consent for quashing of the FIR. She has identified her signature. She reiterated the terms. She is identified by her Advocate.

6. The dispute is of personal nature. The society at large is not concerned. We find it necessary to quash the FIR as it is in the interest of future of both the spouses.

7. Hence, the following order:

:: O R D E R ::

- i. The FIR being C.R. No.61/2021 registered with Naya Nagar police station, Mira-Bhayandar, Thane as well as the consequent criminal 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)