

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

CRIMINAL APPLICATION (APL) NO. 243 OF 2025

Sunil Wadekar and Ors.

... Applicants

Vs.

State of Maharashtra and anr.

...Respondents

Mr. Rohan Hogle for the Applicants.

Ms. Supriya Kak, APP for the Respondent No.1 – State.

Mr. Shekhar V. Mane for Respondent No.2.

Mr. Prakash Ingale, API, Vikhroli Police Station, present.

**CORAM : SARANG V. KOTWAL &
SHYAM C. CHANDAK, JJ.**

DATED : 25th SEPTEMBER, 2025

P.C. :-

1) This is an Application for quashing of the proceedings bearing SC/374/2023 pending before the learned Additional Sessions Judge, Mumbai arising out of C.R.No.271/2022 registered at Vikhroli Police Station, Mumbai under Sections 328, 420, 376(1), 498-A, 506 read with 34 of the Indian Penal Code.

2) Heard Mr. Rohan Hogle, learned Counsel for the Applicants, Ms. Supriya Kak, learned APP for Respondent No.1 – State and Mr. Shekhar Mane, learned Counsel for Respondent No.2.

3) The prayer is made for quashing of the proceedings by consent. The matter is settled between the parties. Therefore, it is not necessary to refer to the allegations in the FIR in detail. The Applicant No.1 is the

husband of the Respondent No.2 – the first informant. The Applicant Nos.2 and 3 are parents of the Applicant No.1 and the Applicant No.4 is the sister-in-law i.e., brother's wife of the Applicant No.1. The allegations in the FIR briefly are that, in 2018, the Respondent No.2 got acquainted with the Applicant No.1 in a wedding. Their acquaintance turned into friendship. She has stated in her FIR that in April, 2019 the Applicant No.1 made her drink some intoxicating drink and established physical relations. It is her case that he took some objectionable photographs and based on those photographs, forced her to have physical relations regularly. On the same threat, he got married with the Respondent No.2 on 02/12/2021 at Alandi. She has further stated that after the marriage, she started residing in the Applicants' house. They had even arranged marriage reception which was attended by the Respondent No.2's parents. The Applicant No.1 had told her not to disclose about his objectionable behaviour to her parents. It is her case that he used to ill-treat, beat, abuse and threaten her. The Applicant No.2 asked her to bring Rs.30 Lakhs from her parents. On all these allegations, against all the Applicants, this FIR is lodged. The charge-sheet is filed. The charge-sheet contains statements of her father, friends and other acquaintances. There are statements of other witnesses who had attended their wedding at Alandi.

4) Now, as mentioned earlier, the matter is completely settled between the parties. The Respondent No.2 has filed her Affidavit in the

Court. She has stated that she has filed the Marriage Petition No.19/2025 before the learned Civil Judge, Senior Division, Khed, Rajgurunagar, Pune along with her husband for obtaining divorce by mutual consent. As per the Consent Terms, they have decided to part ways and live their independent life. She has further stated that she had filed the FIR in a rage and out of misunderstanding. She has further stated that the relationship with the Applicant No.1 was consensual and that she has no objection for quashing of these proceedings.

5) The Respondent No.2 is present in the Court. She is identified by her learned Counsel. She reiterated the contents of the FIR and submitted before the Court that proceedings be quashed.

6) We have considered these submissions. From the FIR itself, it is clear that, both of them were married. The marriage reception was arranged which was attended by her parents. Therefore, it is clear that the relationship was consensual. There appears to be some exaggeration but she has stated in her Affidavit that she had filed this FIR out of misunderstanding and in a state of anger. Since the parties have settled the matter and since the Respondent No.2 does not have any objection for quashing of these proceedings, we are inclined to allow this Application. Hence, the following Order :-

(a) The proceedings being SC/374/2023 pending before the learned Additional Sessions Judge, Mumbai arising

out of C.R.No.271/2022 registered at Vikhroli Police Station, Mumbai under Sections 328, 420, 376(1), 498-A, 506 read with 34 of the Indian Penal Code, are quashed and set-aside.

7) The Application is disposed of.

(SHYAM C. CHANDAK, J.)

(SARANG V. KOTWAL, J.)

PREETI
HEERO
JAYANI

Digitally signed by
PREETI HEERO
JAYANI
Date: 2025.09.29
11:44:53 +0530