

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

Criminal Application No.245 of 2025

Mr. Aakash Jethanand Pursawani and others ... Applicants
V/s.
The State of Maharashtra and anr. ... Respondents.

Ms. Akshada Karale, Advocate and Ms. Pragati Khopkar i/b. Rahul R. Shelke, Advocate for the Applicants.

Smt. Gulestan M. Dubash for the Respondent No.2.

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

DATE : 17th March 2025.

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P.C. :

This is the application for quashing of the FIR registered vide C.R. No.84/2024 at Ulhasnagar Police Station, Thane on 20th January 2024 under Sections 498-A, 323, 406, 420, 504, 506 and 34 of Indian Penal Code and consequent proceedings pending before JMFC, Ulhasnagar vide RCC/1549/2024.

2. The FIR is lodged by the Respondent No.2. The Applicant No.1 is her husband. The Applicant Nos.2 and 3 are his parents and Applicant No.4 is her sister-in-law. It is not necessary to refer to the allegations in the FIR in detail because the parties have settled the matter. However, the gist of the FIR is that the Respondent No.2 got married with the Applicant No.1 on 19th January 2019. It is her

case that marriage was not consummated. He was avoiding to establish any physical relations with her. She was continuously ill treated and harassed. All the Applicants did not treat her as a part of family. They used to discuss family affairs amongst themselves. There are allegations that she was asked to bring Rs.16 Lacs from her parents. Ultimately, this FIR was lodged. The investigation was carried out and charge-sheet is filed. During investigation, statements of the parents and two brothers of the Respondent No.2 were recorded. All of them have supported the allegations made in the FIR.

3. Now the matter is settled between the parties. The Respondent No.2 has filed her affidavit-in-reply. She has stated in her affidavit that they have finalized the consent terms and have filed the petition for divorce by mutual consent in the Family Court of Pune bearing No.1866/2024. She has given her specific no objection for quashing of the present proceedings. The Respondent No.2 is present in the Court. She is identified by her learned counsel. The Respondent No.2 stated before the Court that she stood by the averments in the FIR and that she has no objection for quashing of these proceedings. The dispute is purely personal in nature. The Society at large is not involved. No purpose will be served in continuation of criminal prosecution. Hence, we are inclined to allow this application and pass the following order:

ORDER

- (i) The Criminal Application is allowed.

(ii) The F.I.R. registered vide C.R. No.84/2024 with Ulhasnagar Police Station on 20th January 2024 and the consequent proceedings pending before JMFC, Ulhasnagar vide RCC/1549/2024 under Sections 498-A,323,406,420, 504,506 and 34 of Indian Penal Code are hereby quashed and set aside.

4. The Criminal Application stands disposed of accordingly.

(S.M. MODAK, J.)

(SARANG V. KOTWAL, J)