

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

CRIMINAL APPLICATION NO.352 OF 2025

Niraj Bhagwati Prasad Mundra & Ors. Applicants

versus

The State of Maharashtra & Anr. Respondents

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- Mr. Rahul Singh a/w Pranali Raut a/w Varsha Sawant i/b.
Legal Catalyst, Advocate for Applicants.
- Mr. S. V. Gavand, APP for the State/Respondent.
- Ms. Prabha Badadare, Advocate for Respondent No.2.

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

DATE : 28th MARCH, 2025

P.C. :

1. This is an application for quashing of the proceedings arising out of C.R.No.83/2023 registered with Vartak Nagar Police Station, Thane City, on 17/03/2023 u/s 323, 406, 420, 498-A, 495, 504, 506 r/w 34 of the Indian Penal Code and u/s 23 of the Juvenile Justice (Care and Protection Act), 2000.

2. Heard Mr. Rahul Singh, learned Counsel for the Applicants, Ms. Prabha Badadare, learned counsel for the

Respondent No.2 and Mr. S. V. Gavand, learned APP for the State.

3. The FIR is lodged by the Respondent No.2. The Applicant No.1 was her husband. The Applicant No.2 was his mother. The Applicant No.3 was his brother. The Applicant No.4 was his sister. The Applicant Nos.5 and 6 had taken part in mediating at the time of marriage. The FIR as mentioned earlier is lodged by the Respondent No.2. However, it is not necessary to refer to the allegations in the FIR in detail because the parties have settled the matter.

4. The gist of the FIR is that that before marrying the Applicant No.1, the Respondent No.2 was a divorcee. She had a daughter from her first marriage. On 26/05/2021, the Respondent No.1 got married with the Applicant No.1. At that time her mother had given her gold etc. The FIR thereafter goes on to mention that she was not treated properly by the husband. Even her daughter from the first marriage was ill-treated. The ornaments given by her mother were misappropriated. The

allegations are that all the Applicants had ill-treated and harassed her.

5. However, the matter is now settled between the parties. In fact, the Respondent No.2 and the Applicant No.1 have got divorced by mutual consent vide the decree dated 04/10/2023. The Respondent No.2 has filed her affidavit giving her specific no objection for quashing of the present proceedings. She is present before the Court. She is identified by her learned counsel. She has reiterated the contents of the affidavit. She has given her specific no objection for quashing the present proceedings.

6. The dispute between the parties is purely personal in nature. The dispute is not only settled, but the parties are separated through decree of divorce. Therefore, no purpose would be served in this background with continuation of the prosecution. Therefore, we are inclined to allow this application.

7. Hence, the following order :

ORDER

- (i) The FIR registered vide C.R.No.83/2023 registered with Vartak Nagar Police Station, Thane City and the further proceedings arising out of the said FIR, are quashed and set aside.
- (ii) The application is disposed of.

(S. M. MODAK, J.)**(SARANG V. KOTWAL, J.)**