

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

CRIMINAL APPLICATION NO.357 OF 2025

Ashish Shyamlal Gupta & Ors.

.... Applicants

versus

The State of Maharashtra & Anr.

.... Respondents

.....

- Mr. Advait Tamhankar, Advocate for Applicants.
- Ms. Sangeeta D. Shinde, APP for the State/Respondent.
- Mr. Shreyas N. Gawankar, Advocate for Respondent No.2.

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

DATE : 20th SEPTEMBER, 2025

P.C. :

1. This an application for quashing of the proceedings pending before the learned JMFC, 15th Court, Mazgaon, Mumbai, vide Criminal Case No.198/PW/2025 arising out of the C.R.No.319/2024 registered at Kalachowki Police Station, u/s 406, 498-A of the Indian Penal Code.

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2. Heard Mr. Advait Tamhankar, learned Counsel for the Applicants, Mr. Shreyas N. Gawankar, learned counsel for the

Respondent No.2 and Ms. Sangeeta D. Shinde, learned APP for the State.

3. The FIR is lodged on 27/09/2024 by the Respondent No.2. The Applicant No.1 is her husband. The Applicant Nos.2 and 3 are his parents. The No.4 is his brother. The parties have now settled the matter and are seeking quashing of the proceedings by consent.

4. In view of the settlement between the parties, it is not necessary to refer to the allegations in the FIR and the charge-sheet in detail. However, very briefly, the allegations in the FIR are that she got married with the Applicant No.1 on 30/04/2021. They came in touch with each other through a matrimonial website. At that time, the Applicant Nos.1 and 2 had given ornaments by way of Stridhan. After the informant started residing with the Applicants, immediately ill-treatment started. The FIR goes on to mention different instances showing their dispute and ill-treatment. There is a reference to the incident dated 25/06/2022 when all the Applicants had assaulted her.

There was a dispute regarding money. The Applicants wanted share from her salary as well. They retained her Stridhan. From 25/06/2022, the informant started residing with her parents. On these allegations, the FIR is lodged. The Applicant has filed the charge-sheet containing the statements of informant's mother and sister. Both of them have supported the allegations made by her. Now as the matter is settled between the parties, the Respondent No.2 has filed her affidavit. She has stated in her affidavit that she had also initiated proceedings under the Protection of Women from Domestic Violence Act, 2005. She has withdrawn these proceedings. The matter was completely settled between the parties and that she had no objection for quashing of the present proceedings as well. The Respondent No.2 is present in the Court. She submitted that she has no objection for quashing of these proceedings.

5. In view of the settlement between the parties and in view of the clear consent given by the Respondent No.2 in the Court and in the affidavit, we are inclined to allow this application.

6. Hence, the following order :

ORDER

- (i) The proceedings pending before the learned JMFC, 15th Court, Mazgaon, Mumbai, vide Criminal Case No.198/PW/2025 arising out of the C.R.No.319/2024 registered at Kalachowki Police Station, Mumbai, are quashed and set aside.
- (ii) Mr. Shreyas N. Gawankar, who is appointed by this Court to represent the Respondent No.2 at her request, has taken all the necessary steps for disposal of this application. Therefore, Legal Services Authority of this Court shall pay him as per the rules.
- (iii) The application is disposed of.

(SHYAM C. CHANDAK, J.)

(SARANG V. KOTWAL, J.)