

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

CRIMINAL APPLICATION NO.362 OF 2025

Javed Farooq Shaikh & Ors.

.... Applicants

versus

The State of Maharashtra & Anr.

.... Respondents

.....

- Mr. Sufian Qureshi a/s Shakshil Pangarkar, Advocate for Applicants.
- Mr. S. R. Agarkar, APP for the State/Respondent.
- Ms. Lucy Massey, Advocate for Respondent No.2.

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

DATE : 02nd APRIL, 2025

P.C. :

1. Heard Mr. Sufian Qureshi, learned Counsel for the Applicants, Ms. Lucy Massey, learned counsel for the Respondent No.2 and Mr. S. R. Agarkar, learned APP for the State.

2. This is an application filed by the Applicants, who are the relatives of the Respondent No.2, the first informant. The Applicant No.1 is the husband and Applicant Nos.2 to 6 are his relatives. The marriage between the Applicant No.1 and the

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Respondent No.2 was performed on 25/03/2021 at Mumbai. Both of them cohabited together at Kurla. They continued with cohabitation till 08/07/2022. The Respondent No.2 was not feeling well and she was dropped at her parent's house. She was asked to bring Rs.2 lakhs. The other Applicants had harassed and ill-treated her during their stay together. On this background, she lodged the FIR on 05/05/2023 with Nehru Nagar Police Station and the offence came to be registered u/s 498-A, 323, 504, 506 r/w 34 of the Indian Penal Code.

3. In this background, the Respondent No.2 has filed a Petition for divorce before before the Family Court, Mumbai. During counselling, both of them have decided to separate themselves and consent terms were executed. It includes the terms about alimony and others terms. In this background, the Respondent No.2 is consenting for quashing of the FIR. Today she is present in the Court and has filed an affidavit. It is signed by her. She is identified by her Advocate. She reiterates the terms mentioned in the affidavit. As the dispute is personal in nature and considering their future, we deem it proper to quash

the FIR and the charge-sheet. The statements annexed to the charge-sheet contains the allegations which are more or less similar to the allegations in the FIR. At this juncture, we deem it proper to quash the FIR.

4. Hence, the following order :

ORDER

- (i) The application is allowed.
- (ii) The FIR registered vide C.R.No.237/2023 registered with Nehru Nagar Police Station, Mumbai and the charge-sheet are, quashed and set aside.
- (iii) The application is disposed of.

(S. M. MODAK, J.)

(SARANG V. KOTWAL, J.)