

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

CRIMINAL APPLICATION NO. 519 OF 2025

1. Mohd Karam Raju Shah
2. Raju Jaan Mohd. Shah
3. Sarvaree Raju Shah
4. Tabassum Raju Shah
5. Tarannum Raju Shah
6. Tahsin Raju Shah

.....Applicants

Versus

1. The State of Maharashtra
2. Sheharbanoo Mohd. Karam Shah

.....Respondents

Adv. Neha Rane h/f Adv. Prasad Panchal - Advocate for the Applicants.

Adv. Rajesh P. Khobragade – Advocate for Respondent No. 2

Mr. B. V. Holambe – Patil - APP for the Respondent-State.

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

DATE : 08th MAY 2025

P.C. :

1. The Applicants-accused have filed this application for quashing of the F.I.R. bearing C.R. No. 150 of 2018. It is registered on 03rd April 2018 for the offence punishable under Sections 498-A, 504 read with 34 of the Indian Penal Code.

2. The charge-sheet is also filed and it is pending before the Court of the JMFC, 34th Vikhroli Court bearing CC No. 446/PW/2019. There are statements of the father and brothers of the first informant supporting the allegations in the F.I.R..

3. The Respondent No. 2 got married with the Applicant No. 1 on 15.05.2011 as per Shariyat Law. After marriage, she started cohabitation with the Applicant No. 1 at Chembur. The Applicant Nos. 2 and 3 are the father-in-law and mother-in-law. Whereas the Applicant Nos. 4 to 6 are the sisters-in-law.

4. It is her allegation that since the date of marriage till lodging of the F.I.R. in the year 2018, she was harassed on account of not doing household work and for not bringing the sufficient amount from her father. Even on certain occasions, she was physically assaulted.

5. Now the parties have settled the dispute that is why we are not going into the allegations in the F.I.R.. The Respondent No. 2 has dissolved the marriage by way of Khula. There are two children from the said wedlock. At present the custody is with the Respondent No. 2. Both the parties have entered into consent terms. It contains all

the terms including the custody of the children and the maintenance. They agreed the amount of the maintenance towards the Respondent No. 1 as Rs. 5 Lakhs. She agrees to hand over the custody of both the children to the Applicant No. 1 today itself. Today she is being paid two demand drafts in all amount of Rs. 5 Lakhs. She admits the same. One of the terms of the settlement is to give consent for quashing.

6. Today, the Respondent No. 2 is present, and she has filed an affidavit affirming the terms and giving consent for quashing of the F.I.R.. She is identified by her learned Counsel.

7. We are inclined to quash the F.I.R. and the proceedings as the matter is settled, and no purpose will be served by keeping the prosecution pending. Hence, the order :-

ORDER

(i) The Criminal Application is allowed.

(ii) The F.I.R. registered against the present Applicants vide C.R. No. 150 of 2018 at Nehru Nagar Police Station under Sections 498A, 323, 504, read with 34 of the Indian Penal Code and the consequent proceedings pending before the

JMFC, 34th Vikhroli Court, Mumbai vide C.C. No.
446/PW/2019 are hereby quashed and set aside.

8. Accordingly, the Criminal Application is disposed of.

(S.M. MODAK, J.)

(SARANG V. KOTWAL, J.)