

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

CRIMINAL APPLICATION NO.551 OF 2025

Saiprasad Sevak Sharma & Ors.

.... Applicants

versus

The State of Maharashtra & Anr.

.... Respondents

.....

- Mr. Jyotiram S. Yadav, Advocate for Applicants.
- Mr. Y. M. Nakhwa, APP for the State/Respondent.
- Ms. Priyanka Yadav, Advocate for Respondent No.2.

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

DATE : 07th MAY, 2025

P.C. :

1. This is an application for quashing of the proceedings pending vide R.C.C.No.498/2021 before the Judicial Magistrate First Class, Kalyan, arising out of C.R.No.I-191/2021 registered at Manpada Police Station, u/s 498-A, 406, 323, 504 r/w 34 of the Indian Penal Code.

2. Heard Mr. Jyotiram S. Yadav, learned Counsel for the Applicants, Ms. Priyanka Yadav, learned counsel for the

Respondent No.2 and Mr. Y. M. Nakhwa, learned APP for the State.

3. The FIR was lodged on 12/04/2021 by the Respondent No.2. It is not necessary to refer to the allegations in details because the parties have now settled their dispute. The Applicant No.1 was the husband of the Respondent No.2-first informant. The Applicant Nos.2 and 3 are his parents and the Applicant No.4 is his brother.

4. The gist of the FIR is that the informant got married with her husband in December 2015. Within 15 days of her marriage the Applicants started ill-treating her. There are allegations that they were suspecting her character and they were keeping check on her income which she was earning through her job. She was made to pay for various expenses. Since September 2016, she stopped giving money to the Applicant Nos.2 and 3. Therefore, there was a big quarrel. She left her matrimonial house. But she again went back to stay with the Applicant from April 2017. On 31/05/2017, she gave birth

to her son. But the things did not improve and again she was ill-treated. She left the matrimonial house again on 05/12/2020 and since then she was residing separately. Then she lodged the FIR. The charge-sheet contains the statement of her father, sisters, brother-in-law, friend and other witnesses. They have supported the allegations of the informant made in the FIR.

5. Now the parties have completely settled their dispute. They have obtained divorce by mutual consent from the Court of Civil Judge Senior Division, vide the decree dated 01/03/2025.
6. The Respondent No.2/first informant has filed her affidavit in the Court today. She has stated that the dispute is resolved between the parties. She is divorced from her husband and she has no objection for quashing of these proceedings. She is present in the Court. She is identified by her learned counsel. She reiterated the contents of her affidavit. She stated before the Court that she has no objection if the proceedings are quashed.
7. The dispute between the parties was purely personal in nature. The society at large is not involved. They have settled

their dispute. The son is with the informant and she has no grievance against the Applicants. Therefore, we are inclined to allow this Petition.

8. Hence, the following order :

ORDER

- (i) The proceedings pending vide R.C.C.No.498/2021 before the Judicial Magistrate First Class, Kalyan, arising out of C.R.No.I-191/2021 registered at Manpada Police Station, are quashed and set aside.
- (ii) The application is disposed of.

(S. M. MODAK, J.)

(SARANG V. KOTWAL, J.)