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

CRIMINAL APPLICATION NO.640 OF 2025

Harsh Mahesh Thaker & Ors. ...Applicants

Vs.

State of Maharashtra & Anr. ...Respondents

Ms. Kanchan Talreja with Mahenoor Khan with Anshika Makhija for the Applicants.

Ms. Dhanalaxmi Krishnaiyar APP for the Respondent-State.

Mr. Pratik Sabrad with Eshwaree Kudalkar for the Respondent No.2.

Mr. Sandesh R. Gavand, API, Rabodi police station present.

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

DATED : 19th SEPTEMBER, 2025

PC. :-

1) This is an Application for quashing of the proceedings bearing R.C.C. No.313 of 2021 pending before the 12th Judicial Magistrate First Class, Thane arising out of C.R. No.8 of 2020 registered with Rabodi police station, Thane for the offences punishable under Sections 498A, 323, 504, 506, 406 and 34 of the Indian Penal Code. The FIR was lodged by the

Respondent No.2 herein on 8th January, 2020. The Applicant No.1 is her husband, the Applicant No.2 is her mother-in-law and the Applicant No.3 is her sister-in-law. The charge-sheet contains statements of the informant's Aunts and acquaintances. However, all these witnesses have supported the case of the first informant which she has stated in her FIR. The FIR mentions that she got married with Applicant No.1 on 8th March, 2018. They came in contact with each other through a matrimonial website. Her contention is that her parents had given her ornaments. They had also given ornaments to the Applicants. She started residing in her matrimonial house. It is not necessary refer to the allegations in the FIR in detail because the parties have settled their dispute.

2) The gist of the FIR is that there was harassment at the time of the physical relation between the Applicant No.1 and the first informant. The Applicants were pressurising her to bring Rs.20,00,000/-. They were not happy because she was not getting pregnant. On all these grounds she was ill treated. Finally, she lodged the FIR. But, now the matter is completely settled between the parties.

3) The Respondent No.2 has filed an affidavit giving consent for quashing of this proceedings. She has referred to the proceedings taken out by her under the Protection of Women from Domestic Violence Act. Similar complaint was lodged by the Applicant No.2 against the first informant under the said Act. The affidavit mentions that after the settlement, both

these proceedings were withdrawn by the respective parties. With reference to the payment which is to be made by the Applicant No.1, the learned Counsel for the parties mentioned before the Court that the amount of Rs.9,00,000/- is already deposited in the Family Court where the divorce proceedings are pending. She will get that amount once the proceedings are finally disposed of.

4) In this background, the Respondent No.2 has given her consent through her affidavit for quashing of these proceedings. Respondent No.2 is present in the Court. She is identified by the learned Counsel. She stated before the Court that the matter is completely settled between the parties. She reiterated the contents of the affidavit and submitted that she has no objection for quashing of these proceedings.

5) In this view of the matter, continuation of the criminal prosecution will not serve any purpose. Therefore, in the interest of justice and in the interest of the parties, we are inclined to allow this Application. The learned Counsel for the Respondent No.2 submitted that the Applicants had earlier filed an Application for quashing the proceedings on merits but it was not allowed. In the changed circumstance of settlement between the parties the present Application is filed. Considering the interest of the parties, we are entertaining this Application and we are inclined to allow it. Hence, the following order :-

:: ORDER ::

- (i) The proceeding arising out of C.R. No.8 of 2020 registered with Rabodi police station, Thane and pending *vide* R.C.C. No.313 of 2021 pending before the learned J.M.F.C., 12th Court, Thane for the offences punishable under Sections 498A, 323, 504, 506, 406 and 34 of the Indian Penal Code are quashed and set aside.
- (ii) Criminal Application is disposed of in the aforesaid terms.

(SHYAM C. CHANDAK, J.)

(SARANG V. KOTWAL, J.)