

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

CRIMINAL APPLICATION [APL] NO.1104 OF 2025

Shamim Mustakim Ansari

.....Applicant

Versus

Investigating Officer, Kalva Police Station
and others

.....Respondents

Ms. Rithika Yerra, Advocate i/b. Shivani Shah for Applicant.

Ms. Sangita D. Shinde, APP for the Respondents-State.

Mr. Abhijit Ranjan, Advocate i/b. Hema Desai for the
Respondent No.3.

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

DATE : 14th OCTOBER, 2025

P.C. :

1. Leave to amend to correct the FIR number mentioned in the prayer clause (a) is granted. Amendment shall be carried out forthwith.

2. This is an Application for quashing of the FIR registered vide C.R. No.677/2025 at Kalva police station, Thane City on 11.8.2025 under Sections 118(1), 352, 351(2) of the Bharatiya Nyaya Sanhita, 2023.

3. Heard Ms. Rithika Yerra, learned counsel for Applicant, Ms. Sangita Shinde, learned APP for the

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Respondents-State and Mr. Abhijit Ranjan, learned counsel for the Respondent No.3.

4. The FIR is lodged by the Respondent No.3 against the Applicant, who is her husband. It is not necessary to refer to the allegations in detail because the parties have not only settled the matter but are residing together.

5. Briefly stated, the allegations in the FIR, are that the Applicant had two wives. He used to harass the Respondent No.3 on the instigation by his other wife. On 1.7.2025, the Applicant drove the Respondent No.3 out of their house. She went to reside with her sister Momina. On 29.7.2025 at about 9.30 p.m., the Applicant went to the Respondent No.3's house to take her back. She refused. The Applicant then allegedly picked up a kitchen knife and tried to give a blow on the Respondent No.3. She put her hand in defence and, therefore, she suffered two blows on her hand. On these allegations, the FIR is lodged.

6. It appears that the injuries were simple because only Section 118(1) of BNS is applied in this case.

7. The parties are husband and wife. The Respondent

No.3 has filed her affidavit, in which she has recorded her no objection for quashing of these proceedings. She is present in the Court. She is identified by her learned counsel. She stated before us that she is residing happily with the Applicant; and that she neither has any apprehension nor any objection for quashing of these proceedings. Considering this situation and the specific no objection given by the Respondent No.3, no purpose would be served in continuing with the criminal prosecution. Therefore, we are inclined to allow this Application. Hence, the following order :

8. Hence, the following order:

:: O R D E R ::

- i. The FIR being C.R. No.677/2025 at Kalva police station, Thane City as well as the consequent proceedings arising therefrom are quashed and set aside.
- ii. Criminal Application is disposed of accordingly.

(SHYAM C. CHANDAK, J.)

(SARANG V. KOTWAL, J.)