

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

CRIMINAL WRIT PETITION NO. 3793 OF 2024

Alfiya Mohammed Aslam Ansari and Ors. V/s. The State of Maharashtra and anr.	 Petitioners Respondents
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**WITH
CRIMINAL APPLICATION (APL) NO. 1123 OF 2025**

Mohammed Shoeb Mohammed Aslam Ansari V/s. The State of Maharashtra and anr.	 Applicant Respondents
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Mr. Nadeem M.S. Shaikh for the Petitioners in WP/3793/2024 and for the Applicant in APL/1123/2025.
Ms. Supriya Kak, APP for Respondent No.1 – State in APL/1123/2025.
Ms. Sangeeta Shinde, APP for Respondent No.1 – State in WP/3793/2024.
Mr. Abdullah Siddiqui i/b. Mr. Wahab Shaikh for Respondent No.2 in both matters.

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

DATED : 16th OCTOBER, 2025

P.C. :-

. Both these matters are decided by this common Order because they arise out of the same proceedings in connection with C.R.No.91/2022 registered at Mumbra Police Station, District Thane under Sections 498-A, 323, 504, 506 read with 34 of the Indian Penal Code, 1860 and Section 4 of The Muslim Women (Protection of Rights on Marriage) Act, 2019.

2) Heard Mr. Nadeem M.S. Shaikh, learned Counsel for the Petitioners and Applicant, Ms. Supriya Kak and Ms. Sangeeta Shinde,

learned APPs for Respondent No.1 – State and Mr. Abdullah Siddiqui, learned Counsel for Respondent No.2- first informant.

3) The investigation and the charge-sheet have resulted in R.C.C.No.2344/2022 pending before the learned Judicial Magistrate First Class, 1st Court, Thane. A prayer is made for quashing of these entire proceedings.

4) The Applicant in APL/1123/2025 is the husband of the first informant. The Petitioner Nos.1, 2, 3 and 4 in Criminal Writ Petition No.3793/2024 are sisters-in-law of the first informant. The Petitioner No.5 is the mother-in-law and the Petitioner No.6 is the father-in-law of the first informant in Criminal Writ Petition No.3793/2024. The parties have settled their dispute. Therefore, it is not necessary to refer to the allegations in the FIR in detail. Briefly stated, the allegations are that, the Respondent No.2 – the first informant got married with the Applicant – Mohammed Shoeb on 10/12/2016. At that time, her father had given her ornaments and other household articles. He had spent almost Rs.7,00,000/- for the expenses during the wedding. After that, she started residing with the Petitioners and the Applicant – husband in her matrimonial house. There are allegations that all the Petitioners started ill-treating her. They demanded money. She gave birth to two daughters. Two of her sisters-in-law did not have children of their own and therefore, they wanted the first informant to give her daughters in adoption to those sisters-in-law. The first informant was

resisting this proposal and therefore, the ill-treatment was on the rise. The Petitioners used to instigate the Applicant – husband to give oral *talaak* to the first informant. She was regularly beaten. She left the matrimonial house on 30/12/2021 with her daughters and started residing with her parents. In the meantime, the husband had given her triple *talaak*. On all these allegations, the FIR was lodged.

5) The charge-sheet contains statements of the parents, brother and uncle of the first informant. They have supported the allegations made in the FIR.

6) Now, the matter is settled between the parties. The Respondent No.2 has filed two separate affidavits-in-reply in both these matters. In both these affidavits-in-reply, she has stated that the parties have settled their dispute and she was giving no objection for quashing of the FIR and the proceedings. She had received Rs.2,55,000/- as the final settlement amount. The custody of the daughters was to remain with the Applicant – husband. She was given visitation rights at public place with prior intimation in writing.

7) The Respondent No.2 is present in the Court. She is identified by her learned Counsel. She reiterated the contents of the affidavits-in-reply. She submitted that she is satisfied with the settlement terms and she has no grievance against the Petitioners and the Applicant including regarding the custody of her daughters.

8) Considering the stand taken by the Respondent No.2, both these matters can be allowed. No purpose would be served by continuation of the criminal prosecution. Therefore, in the interest of justice and in the interest of parties, we are inclined to allow both these matters. Hence, the following Order :-

(a) The R.C.C.No.2344/2022 pending before learned Judicial Magistrate First Class, 1st Court, Thane arising out of FIR *vide* C.R.No.91/2022 registered at Mumbra Police Station, District Thane under Sections 498-A, 323, 504, 506 read with 34 of the Indian Penal Code, 1860 and under Section 4 of The Muslim Women (Protection of Rights on Marriage) Act, 2019 are quashed and set-aside.

9) The Criminal Writ Petition No. 3793 of 2024 and Criminal Application (APL) No.1123 of 2025 are disposed of in the aforesaid terms.

(SHYAM C. CHANDAK, J.)

(SARANG V. KOTWAL, J.)

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