

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

CRIMINAL APPLICATION NO.1279 OF 2025

- | | | |
|------------------------------|---|----------------|
| 1. Deepesh Rakesh Kaushik |] | |
| 2. Aarti Rakesh Kaushik |] | |
| 3. Rakesh Saligram Kaushik |] | |
| 4. Kriti Aayush Garg |] | |
| 5. Aayush Garg |] | .. Applicants |
| Versus | | |
| 1. The State of Maharashtra, |] | |
| Through Ulwe Police Station |] | |
| 2. Surbhi Deepesh Kaushik |] | .. Respondents |

Mr. Trish Bose, Advocate for the Applicants.

Mr. J.P. Yagnik, Additional Public Prosecutor for Respondent No.1.

Mr. Ashwin Hawelkar, Advocate for Respondent No.2.

**CORAM : SHREE CHANDRASHEKHAR, CJ. &
GAUTAM A. ANKHAD, J.**

DATE : 26TH NOVEMBER 2025.

PER, GAUTAM A. ANKHAD, J.

The present Criminal Application is filed under section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 seeking following relief:

“(a) This Hon’ble Court be pleased to quash the FIR being 008 of 2025 which was registered with the Ulwe Police Station for offences punishable u/s. 85, 79, 82(1), 115(2), 316(2), 351(2), 352, 356(2), 3(5) of the BNS registered at the instance of respondent no.2 and the proceedings arising out of the said FIR in the interest of justice.”

2. Due to marital discord between the applicant no.1 and the respondent no.2, an FIR came to be registered at the instance of the respondent no.2 against the applicants on 8th June 2025 with the Ulwe police station.

3. The parties have now amicably settled their dispute. The applicant no.1 and the respondent no.2 have filed consent terms dated 29th September 2025 in Marriage Petition No.499 of 2021 before the learned Civil Judge Senior Division, Panvel. The consent terms, annexed as Exhibit “B” at page 20 of the paper-book, record the settlement arrived at by the parties with regards to permanent alimony/maintenance. The parties have agreed to file the present proceedings to quash the FIR.

4. Mr. Hawelkar, the learned counsel for the respondent no.2 has tendered an affidavit dated 26th November 2025 across the bar which records that the respondent no.2 has settled her differences with the applicants and has no objection to quashing of the said FIR. The affidavit is taken on record and attached at appropriate place. The parties are present in the Court and identified by their respective counsel. The applicant no.1 and the respondent no.2 have affixed their signatures and recorded their appearance in their own handwriting. The appearance of the parties and copies of their Aadhaar cards are taken on record.

5. It is settled principle of law, as laid down by the Hon’ble Supreme Court in “*Jitendra Raghuvanshi v. Babita Raghuvanshi* (2013) 4 SCC 58 that the Court is empowered to quash the criminal proceedings to meet the ends of justice, especially in light of matrimonial disputes wherein the complainant no longer wishes proceed with prosecution. In light of the same, the continuance of criminal proceedings would serve no fruitful purpose. The **Criminal Application No.1279 of 2025 is allowed** in terms of prayer clause (a).

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[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]