

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

**CRIMINAL WRIT PETITION (ST) NO.511 OF 2024
WITH
INTERIM APPLICATION NO.3006 OF 2025
IN
CRIMINAL WRIT PETITION (ST) NO.511 OF 2024**

Anees Ahmed Abdul Majeed Khan & Ors. ...Petitioners

V/s.

The State of Maharashtra & Ors. ...Respondents

Mr. Kushal S. Amin a/w Mr. R. A. Dubey, for the Petitioners.

Ms. Supriya Kak, APP for the Respondent No.1-State.

Adv. Ashley Cusher, for the Respondent No.2.

Mr. Anees Ahmed Khan, Petitioner No.1, present.

Mr. Danish s/o Anees Ahmed Khan, Petitioner No.2, present.

Ms. Mariyam d/o Anees Ahmed Khan, Petitioner No.3, present.

Ms. Ayesha d/o Anees Ahmed Khan, Petitioner No.4, present.

Mr. Ateeque s/o Anees Ahmed Khan, Respondent No.3, present.

**CORAM: BHARATI DANGRE, &
SHYAM C. CHANDAK, JJ.**

DATED : 19th NOVEMBER, 2025.

P. C. :-

1) The subject F.I.R. No.0398 of 2023 arises out of the matrimonial discord primarily between Respondent No.2 – the Complainant whose marriage was solemnized with Respondent No.3 and the F.I.R. involves the other family members of the Respondent No.3 who are the Petitioners before us and whereas Respondent No.4 is the sister of Respondent No.3.

The subject F.I.R. invoked Sections 498-A, 406, 504, 506 r/w. 34 of the Indian Penal Code, 1860 on the complaint being instituted by the Respondent No.2. On completion of the investigation, the charge-sheet came to be filed which resulted into registration of Regular Criminal Case No.1299 of 2024 which is pending before the 2nd Joint Civil Judge, Junior Division & JMFC, Vasai.

2) During the pendency of the Petition before us which sought quashing of the F.I.R., Consent Terms are drawn as a settlement is worked out between the Petitioners and the Respondent No.2 and it is prayed that the F.I.R. as well as the other proceedings pending between the parties shall stand dispose of in the wake of the Consent Terms.

3) The Consent Terms signed under the signature of the Petitioners along with their Advocates as well as bearing the signature of Respondent No.2 and his Advocate drawn on 18th November, 2025 are placed before us.

The same are taken on record and marked as "X" for identification.

4) The Consent Terms categorically record that the Respondent No.2 and her husband - Respondent No.3 have been residing separately since 10/11/2022 and the Petitioners have handed over all documents, jewellery, clothes belonging to her.

In paragraph (D) of the Consent Terms, an understanding is made that the proceedings arising out of F.I.R. No.0398 of 2023 registered with Vasai Police Station as well as the other proceedings instituted in form of Regular Civil Suit No.92 of 2024 filed by the husband as well as the proceedings under the D.V. Act pending before the 2nd Joint Civil Judge, Junior Division & JMFC, Vasai, shall be withdrawn and it is also undertaken by the parties that no further cases/complaints and proceedings will be instituted by them against each other either before any police station or any Court of law.

Clause (4) of the Consent Terms specifically record that Respondent Nos.2 and 3 shall execute the necessary documents to effectuate mutual divorce.

A specific clause in the Consent Terms categorically state that the parties have signed with full knowledge and understanding of its contents, in a sound state of mind and without coercion, undue influence, or pressure of any kind.

5) The Complainant i.e. the Respondent No.2 to the proceedings is present before us and her identity has been established upon producing the Aadhar Card. When specifically asked to the Respondent No.2 whether she has received any amount by way of permanent settlement, she deny and rather state that she do not claim any amount and she do not desire to

seek any alimony and other belongings to her having been returned and since it is agreed that proceedings for mutual divorce shall be instituted, she has no objection if the subject F.I.R. is quashed.

6) In the wake of the aforesaid, we deem it appropriate to quash the subject F.I.R. since we find that the parties have amicably find out a way out of the discord, which was reflected on filing of the complaint by Respondent No.2 and ultimately when it is decided that the husband and wife will seek mutual divorce, there is no propriety in keeping the F.I.R. pending which is lodged by the complainant out of the matrimonial relationship and involving the relatives of the husband. As a result of the above, we pass the following Order :-

:: ORDER ::

- (i) The F.I.R. No.0398 of 2023 along with Regular Criminal Case No.1299 of 2024 are quashed and set aside. No order as to costs.
- (ii) Consequently, Interim Application No.3006 of 2025 stands disposed of.

(SHYAM C. CHANDAK, J.)

(BHARATI DANGRE, J.)