

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 3353 OF 2024

Sanad Raman Naik And Ors.

... Petitioners

V/S.

The State Of Maharashtra And Anr.

... Respondents

Mr. Devansh Shah i/b Aashka, learned Advocate for the Petitioners.

Mr. Vasantkumar Takke, learned Advocate for the Respondent No.

2.

Mr. Tanveer Khan, learned APP for the Respondent – State.

API Bansode, Manapada Police Station, is present.

CORAM : ASHWIN D. BHOBE, J.

DATE : 26th FEBRUARY, 2026.

P.C. :

1. Heard Mr. Devansh Shah, learned Advocate for the Petitioners, Mr. Tanveer Khan, learned APP for the Respondent – State and Mr. Vasantkumar Takke, learned Advocate for Respondent No. 2.

2. This Petition under Article 226 of the Constitution of India, 1950 and under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is preferred by the Petitioners for quashing of the FIR dated 08.06.2024, (impugned FIR) bearing No. 0748 of 2024,

registered with Manpada, Dombivali Police Station, Thane for offences punishable under Section 498A, 323, 504, and 506 of the Indian Penal Code, 1860.

3. Petitioners are present in the Court and are identified by their Advocate Mr. Devansh Shah. He tenders the Photostat copy of the Identity Cards of (5 nos.) Petitioners, which is taken on record and marked as **“X-Colly”** for identification.

4. Respondent No. 2 is present in the Court and is identified by her Advocate Mr. Vasantkumar Takke. He tenders the Photostat copy of Identity Card of Respondent No. 2, which is taken on record and marked as **“X-1”** for identification.

5. Mr. Vasantkumar Takke states that the Affidavit dated 20.02.2026 affirmed by Respondent No. 2 before the Notary Mrs. G, M. D'Mello, is placed on record. The same is marked as **“X-2”** for identification.

6. Respondent No. 2 states that the said Affidavit (X-2) is filed out of her own free will and without any pressure or coercion from

any person. She states that the contents of the Affidavit (X-2) are as per her say. She reiterates her no objection for quashing of the criminal proceedings.

7. Mr. Devansh Shah and Mr. Vasantkumar Takke, submit that the matrimonial dispute between the Petitioners and Respondent No. 2, is amicably resolved. Petitioner No. 1 (Husband) and Respondent No. 2 (Wife) have decided to part ways and have filed proceedings for dissolution of marriage before the Family Court which are pending. They submit that in view of the settlement between the Petitioner No. 1 and Respondent No. 2, the Respondent No. 2 has given her no objection in Affidavit (X-2), for quashing of the impugned FIR. They therefore request for quashing of the impugned FIR.

8. Mr. Tanveer Khan, learned APP for the State submits that the matrimonial dispute between the Petitioners and the Respondent No. 2 being resolved and the statements made by Respondent No. 2 in the Affidavit (X-2), he has no objection for quashing of the criminal proceedings.

9. Considering the aforesaid circumstances, the dispute being a matrimonial discord, the matter being settled between the Petitioners and the Respondent No. 2 and the statements of Respondent No. 2 in her Affidavit (X-2), no useful purpose is likely to be served by allowing a criminal prosecution to continue and having regards to the pronouncements of the Hon'ble Supreme Court in the case of *Gian Singh vs State Of Punjab*¹, *Narinder Singh And Ors vs State Of Punjab And Anr*² and *Parbatbhai Aahir @ Parbatbhai vs The State Of Gujarat*³ there is no impediment in allowing this Petition.

10. In view of the above, Writ Petition is allowed in terms of prayer clause (a). Consequently, the impugned FIR dated 08.06.2024, bearing No. 0748 of 2024, registered with Manpada, Dombivali Police Station, Thane is quashed.

11. Writ Petition No. 3353 of 2024 is allowed.

(ASHWIN D. BHOBE, J.)

ARJUN
KRISHNA
RODGE
Digitally signed
by ARJUN
KRISHNA
RODGE
Date:
2026.03.10
21:35:26
+0530

-
- 1 (2012) 10 SCC 303.
2 (2014) 6 SCC 466.
3 (2017) 9 SCC 641.