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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 4399 OF 2024

Yusuf Hassen Karolia ... Petitioner
V/s.
The State of Maharashtra & Anr. ... Respondents

WITH
INTERIM APPLICATION NO. 2805 OF 2025
IN
WRIT PETITION NO. 4399 OF 2024

Sher Banu Asjad Karolia ... Applicant
V/s.
The State of Maharashtra & Anr. ... Respondents

Mr. Samay Pawar i/b Ms. Reena Prajapati, Advocates for Petitioner.
Mr. Umar Siddiqui a/w Mr. Shazia Qureshi, Advocate for
Respondent No. 2 and Applicant in IA.
Mr. Prasanna Malshe, APP for Respondent/State.
Mr. Somnath Avhad – PSI, Tilak Nagar, Mumbai.

CORAM : ASHWIN D. BHOBE, J.

DATE : 4th FEBRUARY, 2026.

P.C. :

1. This Petition under Article 226 of the Constitution of India and Section 482 of the Code of Criminal Procedure, 1973, is

preferred by the Petitioner against the FIR bearing No. 229 of 2024 registered with Tilak Nagar Police Station, Mumbai for the offences punishable under Sections 498A, 420, 377, 504, 506 r/w 34 of Indian Penal Code (for short 'IPC') and charge-sheet bearing CC No. 1194/PW/2024 arising out the said FIR.

2. Petitioner No. 1 appears through V.C. Petitioner No. 2 (husband) present in Court. Advocate Mr. Samay Pawar identifies both the Petitioners. Photo identity cards of the Petitioners are taken on record and marked as '**X colly**' for identification.

3. Respondent No. 2 is present in Court along with her Advocate Mr. Umar Siddiqui.

4. Mr. Samay Pawar and Mr. Umar Siddiqui, submit that the matrimonial dispute between the Petitioners and Respondent No. 2 is settled. They submit that the Petitioners and Respondent No. 2 have decided to part ways as such the Respondent No. 2 has no objection for quashing of the criminal proceedings.

5. Mr. Umar Siddiqui tenders affidavit affirmed by

Respondent No. 2 before Notary A. R. Surve on 14th January, 2026, along with photo identity card of Respondent No. 2, same are taken on record and marked as 'X-1' & 'X-2', respectively, for identification.

6. Respondent No. 2 states that the affidavit (X-1) 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-1) are as per her say. She reiterates her no objection for quashing of the criminal proceedings.

7. Mr. Prasanna Malshe, learned APP for the State, submits that the criminal proceedings initiated at the behest of Respondent No. 2 can be quashed in view of the statements made by her in the affidavit (X-1), however subject to the imposition of costs.

8. Mr. Samay Pawar and Mr. Umar Siddiqui, on instructions from the Petitioner and Respondent No. 2 state that the amount of Rs. 25,000/- each shall be deposited as costs.

9. Considering the above said circumstances, the nature of dispute, the parties having arrived at the settlement, the statements made by Respondent No. 2 in affidavit 'X-1' and having regard to the decision of the Hon'ble Supreme Court in the case of Gian Singh V. State of Punjab¹, Parbatbhai Aahir Alias Prabatbhai Bhimsinbhai Karmur and Others Vs. State of Gujarat Anr.², Narinder Singh & Ors. Vs. State of Punjab & Anr³ there is no impediment for allowing this Petition.

10. In view of the above, subject to payment cost of Rs. 50,000/- this Petition, is allowed in terms of prayer clause (a) and (F). Consequently, the impugned FIR bearing No. 229 of 2024 and the charge-sheet bearing No. 1194/PW/2024 and all consequential proceedings arising therefrom are quashed.

11. Petitioners shall deposit Rs. 25,000/- in the below mentioned account within a period of two weeks from today :-

Central Police Welfare Fund

Account No: 914010029005759

Bank : Axis Bank Limited

1 (2012) 10 SCC 303

2 (2017) 9 SCC 641

3 (2014) 6 SCC 466

Branch : Worli, Mumbai (M.H.), Mumbai - 400 25
IFSC Code: UTIB0000060

11. Respondent No. 2 shall deposit Rs. 25,000/- in the below mentioned account within a period of two weeks from today :-

**The High Court Employees Medical
Welfare Fund at Mumbai**

Account No.: 000120110001337

Bank : Bank of India

Branch : Mumbai Main

IFSC Code : BKID00000001

12. Mr. Samay Pawar and Mr. Umar Siddiqui state that compliance affidavit along with proof of deposit of costs shall be filed in the Registry of this Court on or before on or before 9th March, 2026.

13. Writ Petition is disposed of.

(ASHWIN D. BHOBE, J.)