

Sharada

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

WRIT PETITION NO.5511 OF 2024

Nazish Nafisulhaq Qureshi ... Petitioner

Versus.

The State of Maharashtra and Ors ... Respondents

Mr. Vijendra Kumar Rai, a/w Adv. Jugal Cheeda and Mr. Iram Sayed, Advocate for the Petitioners.

Mr. Laxman Yadav, Advocate for Respondent No.2.

Ms. A. S. Gotad, APP for Respondent No.1-State.

CORAM : ASHWIN D. BHOBE, J.

DATED : 6th April 2026

P.C.:

1. Heard Mr. Vijendra Kumar Rai, learned Advocate for the Petitioner, Mrs. A. S. Gotad, learned APP for Respondent No.1-State and Mr. Laxman Yadav, learned Advocate for Respondent No.2.

2. Mr Vijendra Kumar Rai, learned Advocate for the Petitioner, states that he has carried out the amendments permitted by the order dated 2nd April, 2026. He states that Naved Manajir Qureshi is the sole Petitioner and Shireen Nasimulhaq Qureshi is the Respondent No. 2 in this petition. He further states that he has

amended prayer clause No. 17 by deleting prayer clauses (b) and (c), and the substantive relief now is prayer clause (a).

3. This Petition under Article 226 of the Constitution of India and Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, is filed by the Petitioner to quash the FIR No. 692 of 2021 (impugned FIR) registered at Parksite Police Station for offences punishable under Sections 354, 452, 509, and 506 of the Indian Penal Code or Cr.P.C., and the charge-sheet bearing R.C.C. No. 1083/PW/2021 arising therefrom.

4. Mr. Vijendra Kumar Rai, learned Advocate for the Petitioner and Mr. Laxman Yadav, learned Advocate for Respondent No.2, submit that the impugned FIR concerned a matrimonial dispute between the Petitioner and Respondent No.2. They further submit that the impugned FIR was filed by Respondent No.2 as a counterblast to an FIR filed by a family member of the Petitioner, which FIR was closed by Respondent No.1 by way of “summary proceedings”. They submit that the matrimonial dispute between the Petitioner and Respondent No.2 is now resolved. In consequence, Respondent No.2 has affirmed an Affidavit dated 2nd April, 2026, stating that she has no objection to the quashing of the impugned FIR and the charge-sheet. They further submit that

Respondent No.2, who is present in Court, is not interested in continuing the criminal proceedings. They therefore request the quashing of the impugned FIR and the charge-sheet arising out of it.

5. Petitioner is present in the Court and is identified by their Advocate, Mr Vijendra Kumar Rai. He tenders the Photostat copy of the Petitioners' Identity Cards, which are taken on record and marked as "**X-Colly**" for identification.

6. Respondent No.2 is present in the Court and is identified by her Advocate Mr. Laxman Yadav. He tenders the Photostat copy of the Identity Card of Respondent No.2, which is taken on record and marked as "**X-1**" for identification.

7. Mr Laxman Yadav, learned Advocate for Respondent No.2, states that the Affidavit dated 06.04.2026, affirmed by Respondent No.2 before Notary S. N. Dhange, is placed on record and the same is marked with "**X-2**" for identification.

8. Respondent No. 2 states that the said Affidavit (X-2) is filed 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 states that the impugned FIR was filed by her out of

anger and in view of an FIR filed by the Petitioner's family. She states that she has no grievance against the Petitioner and is not interested in continuing the criminal proceedings and wishes to end them. She reiterates her no objection in the Affidavit (X-2) to the quashing of the criminal proceedings. She refers to Paragraph No. 9 of the Affidavit, which is transcribed verbatim:-

“9. NO OBJECTION, the parties are having no objection in quashing the proceeding of C.C. No.1083/PW/2021, arising out of the FIR vide C.R. No.692/2021 u/s 354, 452, 509, 506 of P. C. registered with Parksite Police Station filed by Shireen Nasimulhaq Qureshi, i.e. the Respondent No.3”.

9. Ms. A. S. Gotad, learned APP for the State, submits that a matrimonial dispute was given a criminal flavour by Respondent No.2 and the Petitioner, resulting in the police machinery being put into action. Ms. A. S. Gotad, however, submits that the matrimonial dispute between the Respondent No. 2 and the Petitioner having been amicably resolved and the statements made today by the Respondent No. 2 before this Court, she states that the impugned FIR and the criminal proceedings be quashed, by imposing exemplary costs on the Petitioner and the Respondent No. 2.

10. Mr. Vijendra Kumar Rai and Mr. Laxman Yadav, on instructions, state that the Petitioner and Respondent No. 2 shall deposit appropriate costs.

11. Considering the above said facts, the submissions of the learned Advocates for the parties, the nature of the dispute being a matrimonial dispute, the matter being amicably settled between the Petitioner and the Respondent No.2, the statements made by the Respondent No. 2 today before this Court and in the Affidavit (X-2), no useful purpose will be served by allowing the criminal prosecution to continue. Having regard to the pronouncements of the Hon'ble Supreme Court in *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.

12. In view of the above, this Petition is allowed in terms of the prayer clause (a), subject to payment of costs of Rs. 25,000/- by the Petitioners and Rs. 25,000/- by the Respondent No.2. Payment of costs is a condition precedent. Consequently, the impugned FIR and the Charge-sheet arising out of it are quashed.

13. The Petitioners and the Respondent No. 2 shall deposit their respective costs into the Account mentioned below within three (3) weeks from today and file the compliance affidavit, along with

¹ 2012 10 SCC 303

² 2014 6 SCC 466

³ 2017 9 SCC 641

proof of deposit, in the Registry of this Court on or before 4th May, 2026.

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14. Writ Petition No.5511 of 2024 is disposed of.

(ASHWIN D. BHOBE, J.)