

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 24 OF 2026

Vishwesh Balbir Verma & Anr. ... Petitioners.

V/s.

The State of Maharashtra & Anr. ... Respondents.

Ms. Yogini Abhay Ugale, a/w. Mr. Abhijeet Mahadeokar and Preeti Madan, Advocate for Petitioners.

Ms. Pooja P. Yadav, a/w. Ms. Jyoti Vishwakarma, Advocate for Respondent No. 2.

Ms. Pallavi Dabholkar, APP for Respondent/State.

PSI Ghodage, (Pairavi) Meghwadi Police Station.

CORAM : ASHWIN D. BHOBE, J.

DATE : 23rd JANUARY, 2026.

P.C. :

1. This Petition under Article 226 of the Constitution of India and under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short "BNSS") is preferred against the FIR bearing No. 254 of 2018 registered with Meghwadi Police Station for offence punishable under section 498A, 406, 313, 379 r/w. 34

of the Indian Penal Code and the Charge-sheet pending before the Sessions Court which is registered as Sessions Case No. 641 of 2019.

2. Ms. Yogini Ugale, learned Advocate for the Petitioner states that both the Petitioners are present in the court. Ms. Pooja Yadav, learned Advocate for the Respondent No. 2 states that the Respondent No. 2 is present in the court. They submit that matrimonial dispute between the Petitioner No. 1 (husband) and the Respondent No. 2 (wife) is amicably resolved before the Family Court at Bandra and therefore, the Respondent No. 2 has no objection for quashing of the present criminal proceedings.

3. Ms. Pooja Yadav, learned Advocate for Respondent No. 2 tenders affidavit dated 20th January, 2026 affirmed by Respondent No. 2 before Notary M.M. Pabale, Mumbai. Said Affidavit dated 20th January, 2026 and consent terms are taken on record and marked "X" for identification.

4. Respondent No. 2 (Vipasha Agarwal) states that the affidavit ("X") is filed out of her own free will and without any

pressure from any person. She states that the contents of the affidavit is as per her say and she by relying on paragraph Nos. 2 to 4 of the affidavit ("X") submits that she has no objection for quashing of the criminal proceedings. Petitioners who are present in court submit that the matrimonial discord between the Petitioner No.1 and Respondent No. 2 is settled. Photo identity card tendered by Advocate Ms. Ugale are marked as "X-1" for identification.

5. Ms. Pallavi Dabholkar, learned APP for the State submits that no purpose would be served in continuing the criminal proceeding in view of the statement made by the Respondent No. 2 in her affidavit ("X") as also statement made before this Court, today.

6. Considering the amicable settlement between parties, the statements made by the Respondent No. 2 in her Affidavit ("X"), the nature of dispute and having regards to the judicial pronouncements in the case of *Gian Singh v. State of Punjab*¹, *Narinder Singh & ors v. State of Madhya Pradesh*² and *Parbatbhai*

¹(2012) 10 SCC 303

² 2025 SCC Online SC 466

Aahir Alias Parbatbhai Bhimsinbhai Karmur and Others Vs. State of Gujarat and Anr.³, there is no impediment if this Petition is allowed. I therefore deem it fit and proper to exercise the power under Section 528 of BNSS and quash the criminal proceedings.

7. Petition is allowed in terms of prayer clause (a). Consequently, FIR bearing No.254 of 2018 and Charge-sheet pending before the Sessions Court which is registered as Sessions Case No. 641 of 2019 are quashed. The Criminal proceedings arising out of the impugned FIR are closed. No order as to costs.

8. Writ Petition No. 24 of 2026 is disposed of.

(ASHWIN D. BHOBE, J.)

3(2017) 9 SCC 641