

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 281 OF 2026

Vijayprakash Gangaram Kewat & Ors. ... Petitioners.

V/s.

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

Mr. Prathamesh Sarang a/w. Mr. Kaivalya Raut i/b. Ms. Jayashree Yadav, Advocate for Petitioners.

Mr. Ibrahim Sayyed i/b. Mr. Vahid Shaikh and S.M.M. Owais T. Jahagirdar, Advocate for Respondent No. 2.

Mr. Prasanna Malshe, APP for Respondent/State.

CORAM : ASHWIN D. BHOBE, J.

DATE : 30th 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 is preferred for quashing of FIR bearing No. 139 of 2024 dated 19.03.2024 registered with Rabale Police Station, Navi Mumbai for the offence punishable under section 498(A), 504, 506 and 34 of the Indian Penal Code and criminal proceedings arising

out the said FIR.

2. Petitioner Nos. 1, 2 and 5 appear through V.C. mode. Petitioner Nos. 3, 4 and 6 are present in the court. Petitioners are identified by their Advocate Mr. Prathamesh Sarang. Photostat copies of the identity cards (6 Nos.) of all the Petitioners are taken on record and marked “X colly.” for identification.

3. Respondent No. 2 is present in the court alongwith her Advocate Mr. Ibrahim Sayyed. He identifies Respondent No. 2 and tenders photo identity card, which is taken on record and marked as “X-1” for identification.

4. Mr. Prathamesh Sarang and Mr. Ibrahim Sayyed jointly submit that matrimonial dispute between the Petitioners and Respondent No. 2 is amicably settled. They submit that the Petitioner No. 1 (husband) and Respondent No. 2 (wife) decided to separate from each other and they have filed divorce proceedings before the Family Court at Belapur. They therefore submit that criminal proceedings may not be continued.

5. Mr. Ibrahim Sayyed tenders Affidavit affirmed by the Respondent No. 2 before the Notary Dr. T.C. Kaushik on 30th January, 2026 alongwith photo identity card of the Respondent No. 2, same are taken on record and marked “X-1” for identification.

6. Respondent No. 2 (Mrs. Pooja Vijayprakash Kewat) states that the Affidavit (“X-1”) is filed out her free will and without any pressure from any one. She states that the contents of the affidavit (“X-1”) is as per her say. She states that she has no objection for quashing of the criminal proceedings.

7. Mr. Prasasna Malshe, learned APP for the State submits that no purpose would be served in continuing criminal proceedings in view of the settlement and the statements made by the Respondent No. 2 in her affidavit (“X-1”). He however, submits that the Petitioners and Respondent No. 2 having used the police machinery for settling their dispute, they should be saddled with the costs.

8. Mr. Prathmesh Sarang and Mr. Ibrahim Sayyed on instructions from the Petitioners and Respondent No. 2 submit that an amount of Rs. 20,000/- shall be deposited as costs.

9. Considering the above circumstances, the nature of dispute, amicable settlement between parties, the statements made by the Respondent No. 2 in her Affidavit ("X-1") and having regards to the judicial pronouncements in the case of *Gian Singh v. State of Punjab*¹ and *Narinder Singh & ors v. State of Madhya Pradesh*² and in *Parbatbhai Aahir Alias Parbatbhai Bhimsinbhai Karmur and Others Vs. State of Gujarat and Anr.*³, there is no impediment in allowing this Petition

10. This Petition is allowed in terms of prayer clause (b), subject to payment of costs of Rs. 20,000/-. Consequently, the FIR bearing No. 139 of 2024 registered with Rabale Police Station, Navi Mumbai and the criminal proceedings arising out the said FIR are quashed.

1. (2012) 10 SCC 303.

2. 2025 SCC Online SC 466

3. (2017) 9 SCC 641.

11. Petitioners and the Respondent No. 2 shall deposit an amount of Rs. 20,000/- in the below-mentioned bank account within a period of two week from today and file proof of said deposit in the Registry of this Court.

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

Account No.: 000120110001337

Bank : Bank of India

Branch : Mumbai Main

IFSC Code : BKID0000001

12. List this Petition on 25th February, 2026 for compliance of the deposit of costs.

(ASHWIN D. BHOBE, J.)