LAXMIKANT GOPAL CHANDAN
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# IN THE HIGH COURT OF JUDICATURE AT BOMBAY
# CRIMINAL APPELLATE JURISDICTION

## CRIMINAL WRIT PETITION NO. 314 OF 2026

Navroze Firoze Vania : Petitioner
Versus
State of Maharashtra & anr. : Respondents.

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Ms Gayatri Gokhale a/w Ms Sneha J for the Petitioner.
Mr. Tanveer G Khan, APP for the Respondent/State.
Ms. Sachi Lodha i/by Adv. Toban Irani for the Respondent No.2.

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**CORAM : ASHWIN D. BHOBE, J.**
**DATED : 18 FEBRUARY 2026**

**PC:-**

**1.** Heard Ms Gayatri Gokhale, learned Advocate for the Petitioner, Mr. Tanveer G Khan, learned APP for the Respondent/State and Ms Sachi Lodha, learned Advocate for Respondent No.2.

**2.** This Petition under Article 226 of the Constitution of India and under Section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 is preferred by the Petitioner for quashing the

FIR bearing CR No.435 of 2021 registered with the Byculla Police Station for the offences punishable under Section 498A, 506, r/w 34 of the Indian Penal Code, and the Case bearing No.PW/933/2021 pending before the JMFC 25 Court at Mazgaon, Mumbai

**3.** Petitioner is present in the Court and is identified by his Advocate Ms. Gayatri Gokhale. She tenders the Photostat copy of the Identity Card of the Petitioner, which is taken on record and marked as **"X"** for identification.

**4.** Respondent No.2 is present in the Court and is identified by her Advocate Ms Sach Lodha. She tenders the Photostat copy of Identity Card of Respondent No.2, which is taken on record and marked as **"X-1**" for identification.

**5.** Advocate Ms. Gayatri Gokhale and Advocate Ms Sachi Lodha submit that the matrimonial dispute between the Petitioner and the Respondent No.2 is amicably resolved. They submit that the Petitioner (husband) and the Respondent No.2

(wife) have decided to part ways and they have also initiated proceedings before the Parsi Chief Matrimonial Court Mumbai which are registered as Parsi Suit Noi. PS/1/2025 and Parsi Suit (L) No.5689 of 2025. They submit that the Respondent No.2 has no objection for quashing the criminal proceedings initiated at her instance in view of the amicable settlement arrived at between them.

6. Ms Sachi Lodha, learned Advocate for the Respondent No.2, states that the Affidavit dated 07 February 2026, affirmed by Respondent No.2 before the Registry of this Court is placed on record from pages 223 to 227. The same is marked as **"X-2"** for identification.

7. 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.

**8.** Mr. Tanveer Khan, learned APP for the Respondent/State, submits that the parties having amicably resolved their matrimonial discord and statements made by Respondent no.2 in the Affidavit (X-2), no purpose would be served in continuing with the criminal proceedings. However, he insists for imposition of costs.

**9.** Ms. Gayatri Gokhale, learned Advocate for the Petitioner and Ms. Sachi Lodha, learned Advocate for the Respondent No.2, on instructions, submits that the Petitioner and Respondent No.2 shall deposit appropriate costs.

**10.** Considering the aforesaid circumstances, the nature of dispute, the matter being settled between the Applicants and the Respondent No.2, the statement of Respondent No. 2 in the Affidavit (X-2) 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*

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1 2012 10 SCC 303

2 2014 6 SCC 466

*Gujarat*[3], there is no impediment in allowing this Application.

**11.** In view of the above, Criminal Petitioner No.314 of 2026 is allowed in terms of prayer clauses (a) and (b) subject to payment of costs of Rs.50,000/- to be paid by the Petitioner and Respondent No.2 equally. Consequently, the impugned FIR bearing No. 435/2021 registered with the Byculla Police Station, CC No. PW/933/2021 pending before the JMFC, 25th Court, Mazgaon, and the criminal proceedings arising out of the said FIR are quashed.

**12.** The Applicants and the Respondent No.2 shall deposit the costs of Rs.25,000/- each in the below mentioned Account within a period two weeks from today file in the Registry of this Court the compliance affidavit along with the proof of deposit on or before 16 March 2026

a) The Petitioner shall deposit the amount of Rs.25,000/- in :-

**The High Court Employees Medical Welfare Fund at Mumbai**
Account No.: 000120110001337
Bank : Bank of India

[3] 2017 9 SCC 641

Branch : Mumbai Main
IFSC Code : BKID0000001

b) The Respondent No.2 shall deposit the amount of Rs.25,000/- in :-

**Central Police Welfare Fund**
Account No: 914010029005759
Bank : Axis Bank Limited
Branch : Worli, Mumbai (M.H.), Mumbai - 400 025
IFSC Code: UTIB0000060

13. This Criminal Writ Petition is allowed in the above-said terms.

(ASHWIN D. BHOBE, J.)