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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 335 OF 2026

Abhilash Ramchandran Nair & Anr. ... Petitioners

V/s.

The State of Maharashtra & Anr. ... Respondents

Ms. Radhika Samant a/w Ms. Pooja Bhide, Advocates for
Petitioners.

Ms. Arunima Kumari i/b MZM Legal for Respondent No. 2.

Mr. Prasanna Malshe, APP for Respondent – State.

CORAM : ASHWIN D. BHOBE, J.

DATE : 17th FEBRUARY, 2026.

P.C. :

1. Heard Ms. Radhika Samant, learned Advocate for the
Petitioner, Mr. Prasanna Malshe, learned APP for Respondent No. 1
– State and Ms. Arunima Kumari, 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 Petitioners for quashing the FIR bearing No. 373 of 2023 dated 3rd June, 2025 registered with Versova Police Station for the offences punishable under Sections 498A, 406, 323, 504 read with Section 34 of the Indian Penal Code, 1860.

3. Petitioner No. 1 is present in Court. Petitioner Nos. 2 & 3 are appearing through V. C. mode. Petitioners are identified by their Advocate Ms. Radhika Samant. She tenders the Photostat copies of the Identity Cards (3 numbers) of the Petitioners, which are taken on record and marked as '**X-Colly**' for identification.

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

5. Ms. Radhika Samant, learned Advocate for the Petitioners and Ms. Arunima Kumari, learned Advocate for Respondent No. 2 submit that the dispute between the Petitioners

and Respondent No. 2 has been amicably resolved. They submit that the Petitioner No. 1 (husband) and Respondent No. 2 (wife) are separated in view of the Judgment and order dated 27th October, 2025 passed by the Family Court, Mumbai at Bandra in Petition No. A-878 of 2025. They submit that the Respondent No. 2 has no objection for quashing of the impugned FIR.

6. Ms. Arunima Kumari states that the Affidavit dated 22nd December, 2025 affirmed by Respondent No. 2 before the Notary S. N. Dhange is placed on record as Exhibit-C page Nos. 39 to 42. 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. Prasanna Malshe, learned APP for the State submits that the Petitioners and Respondent No. 2, having

amicably resolved their dispute and Respondent No. 2 having given her no objection in the affidavit (**'X-2'**) for quashing of the impugned FIR, no purpose would be served in continuing with the criminal proceedings. He however submits that the parties having used the police machinery to resolve a matrimonial dispute, he therefore insists an imposition of costs.

9. Ms. Radhika Samant and Ms. Arunima Kumari, on instructions from the Petitioners and Respondent No. 2 state that appropriate costs would be deposited.

10. Considering the aforesaid circumstances, the nature of dispute, the matter being settled between the Petitioners 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 Gujarat*³, there is no impediment in allowing this Petition.

1 2012 10 SCC 303

2 2014 6 SCC 466

3 2017 9 SCC 641

11. Subject to payment of costs of Rs. 50,000/-, as a condition precedent, this Petition is allowed in terms of prayer clause (a). Consequently, the impugned FIR No. 373 of 2025 dated 3rd June, 2025 is quashed.

12. The Petitioners and the Respondent No.2 shall deposit the costs of Rs. 25,000/- each in the below mentioned Accounts within a period of two weeks from today and file in the Registry the compliance affidavit along with the proof of deposit on or before 10th March, 2026.

a) The Petitioners 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: UTIB00000060

b) Respondent No. 2 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

Branch : Mumbai Main

IFSC Code : BKID0000001.

(ASHWIN D. BHOBE, J.)