

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 597 OF 2026

Shashikant Bramhadev Singh And Ors. ... Petitioners
V/S.
The State of Maharashtra & Anr. ... Respondents

Mr. Harideep Singh a/w Narendra Yadav, for the Petitioners.

Petitioners are present in Court.

Mr. G. M. Shaikh, for the Respondent No. 2.

Respondent No. 2 is present in Court.

Mr. Prasanna Malshe, APP for Respondent - State.

CORAM : ASHWIN D. BHOBE, J.

DATE : 13th FEBRUARY, 2026.

P.C. :

1. Heard Mr. Harideep Singh, learned Advocate for the Petitioners, Mr. Prasanna Malshe, learned APP for the Respondent-State and Mr. G. M. Shaikh, 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. 920 of 2022, registered with Charkop Police Station, Mumbai

for the offences punishable under Sections 498-A, 323, 504, 506 R/w. 34 of the Indian Penal Code, 1860 and chargesheet registered as Case No. 2485/PW/2023, pending before the 24th Additional JMFC, Borivali Court.

3. Petitioners are present in the Court and are identified by their Advocate Mr. Harideep Singh. He tenders the Photostat copies of the Identity Cards of 3 Petitioners, which are taken on record and marked as **“X-Colly”** for identification.

4. Respondent No.2 is present in the Court and is identified by her Advocate Mr. G. M. Shaikh. He tenders the Photostat copy of Identity Card of Respondent No.2, which is taken on record and marked as **“X-1”** for identification.

5. Learned Advocate Mr. Harideep Singh and Mr. G. M. Shaikh, submit that the matrimonial dispute between the Petitioners and the Respondent No. 2 is amicably resolved. They submit that the Petitioner No. 1 (Husband) and the Respondent No.2 (Wife) have decided to part ways and separate from each other. They state that the Petitioner No. 1 and Respondent No. 2

have filed mutual divorce petition (F) No. 1427 of 2024 before the Family Court, Bandra which is pending. They state that the Respondent No.2 has given her no objection for quashing of the criminal proceedings. They therefore submit that the criminal proceedings may not be continued.

6. Mr. G. M. Shaikh states that the Affidavit dated 23rd January, 2026 affirmed by Respondent No.2 before the Notary Pradeep Kumar. Dubey, is placed on record. 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. P. Malshe, learned APP for the State submits that the Petitioners and the Respondent No. 2 having now resolved the matrimonial dispute, no purpose would be served in continuing with the criminal proceedings in view of the statements made by

the Respondent No. 2 in her Affidavit (X-2). He however submits that investigation was completed and chargesheet was filed on the basis of the complaint of Respondent No. 2 as such, he insists for payment of cost.

9. Mr. Harideep Singh and Mr. G. m. Shaikh, on instructions submit that the Petitioners and the Respondent No. 2 would deposit appropriate cost.

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 Gujarat*³, there is no impediment in allowing this Petition.

11. In view of the above, Writ Petition No. 597 of 2026 is allowed in terms of prayer clause (a) subject to payment of costs of

1 2012 10 SCC 303

2 2014 6 SCC 466

3 2017 9 SCC 641

Rs. 50,000/- as condition precedent. Consequently, the impugned FIR bearing No. 920 of 2022 dated 21st October, 2022 registered with the Charkop Police Station, Mumbai and the chargesheet registered as Case No. 2485/PW/2023 pending before the 24th Additional JMFC, Borivali Court are quashed. Criminal proceedings against the Petitioners are closed.

12. The Petitioners shall deposit cost of Rs. 25000/-in the below mentioned Account of the High Court Employees Medical Welfare Fund, Mumbai, within a period of three weeks from today.

The High Court Employees Medical Welfare Fund at Mumbai	
Account No.:	000120110001337
Bank :	Bank of India
Branch :	Mumbai Main
IFSC Code :	BKID0000001

13. The Respondent No. 2 shall deposit cost of Rs. 25000/- in the below mentioned Account of the Central Police Welfare Fund within a period of three weeks from today.

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

14. The compliance affidavit along with the proof of deposit be filed in the Registry of this Court on or before 16th March, 2026

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

(ASHWIN D. BHOBE, J.)