

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 1264 OF 2025

Mr.Sandeep Shankar Kasar.

... Petitioner.

Vs.

The State of Maharashtra and another.

... Respondents

Ms.Ruchika Aun Ghag with Rashi R. Maknikar for the Petitioner.

Mr.Amit A. Palkar, APP for the Respondent-State.

Ms.Anushka Nair for Respondent No.2.

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CORAM : RANJITSINHA RAJA BHONSALE , J.

DATED : 29th JANUARY, 2026.

P. C. :-

1. The Petitioner, accused in Chargesheet No.0400506/PW/2023 pending on the file of learned Judicial Magistrate First Class (4th Court), Girgaum, Mumbai, arising out of C.R. No.375 of 2023 dated 20th September 2023 registered with Tardeo Police Station, Mumbai under sections 323, 324, 504 and 506 of the Indian Penal Code, 1860 has invoked jurisdiction of this Court under Article 226 of the Constitution of India and section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of the aforesaid crime, with the consent of Respondent No.2/ the informant.

2. Ms.Ghag, learned Advocate appearing for the Petitioner submits that the Petitioner and Respondent No.2 who are husband and wife have settled disputes and differences between them and since June 2024 they both are residing together along with their son. That the parties have no grievance against each other. Therefore the Petitioner has filed this Petition for quashing of the aforesaid crime and the proceedings arising therefrom with the consent of Respondent No.2. That Respondent No.2 has also given her consent for quashing of the crime in question. She therefore prayed that the said crime and the resultant proceedings may be quashed and set aside with the consent of Respondent No.2.

3. Ms.Nair, learned Advocate appearing for Respondent No.2 conceded to the fact that disputes and differences between the parties have been amicably settled and that they are living together since June 2024 along with their son. That, Respondent No.2 has filed Consent Affidavit dated 23rd January 2026 duly affirmed before the Notary Public giving her consent for quashing of the crime in question and the proceedings arising therefrom. In the Consent Affidavit, Respondent No.2 has stated that all disputes and differences between the parties have been settled. That, they have not initiated any divorce proceedings and are still legally

married. That, they are residing together since June 2024 and have no grievance against each other. In para-4 of the Affidavit, Respondent No.2 has given her 'no objection' and consent for quashing of the said crime and proceedings arising therefrom. She has stated that she has filed this Affidavit out of her free will and consent.

4. Learned Advocate for Respondent No.2 has tendered across the bar an Affidavit dated 23rd January 2026 of one Mr.Pritesh Sandeep Kasar, son of Petitioner and Respondent No.2. The Affidavit is duly affirmed before the Notary Public. In the said Affidavit, the son has stated the fact of settlement and that the Petitioner and Respondent No.2, who are his parents, have started living together harmoniously since June 2024. It is further specifically stated that, there are no grievances and that he is also staying with the parents. That, therefore he has given his no objection for quashing of the aforesaid crime and proceedings arising therefrom.

5. Respondent No.2 is personally present in the Court and through her Advocate reiterates the contents of her Affidavit dated 23rd January 2026 and her 'no objection' for quashing of the crime in question and proceedings arising therefrom.

6. In view of the above, I am inclined to quash criminal proceedings being Chargesheet No.0400506/PW/2023 pending on the file of learned Judicial Magistrate First Class (4th Court), Girgaum, Mumbai, arising out of

C.R. No.375 of 2023 dated 19th September 2023 registered with Tardeo Police Station, Mumbai under sections 323, 324, 504 and 506 of the Indian Penal Code, 1860.

7. In view of the above, Petition is allowed in terms of prayer clause (a).

(RANJITSINHA RAJA BHONSALE, J.)