

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
WRIT PETITION NO. 4762 OF 2025**

|                               |                |
|-------------------------------|----------------|
| Aditya Varma And Anr.         | ...Petitioners |
| <i>Versus</i>                 |                |
| State Of Maharashtra And Anr. | ...Respondents |

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Mr. Murlidhar Khadilkar a/w Chinmay Page, for the Petitioners.  
Mr. S. A. karmakar, for the Respondent – State.  
Mr. Vinayak Pandit a/w Indranil Maity i/b Ajinkya Udane, for  
Respondent No. 2.  
Neha Chaturvedi, Respondent No. 2 is present.  
PSI Pankaj Khopade, Kondhva Police Station, is present

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**CORAM: ASHWIN D. BHOBE, J.**

**DATED: 29<sup>th</sup> JANUARY, 2026.**

**PC:-**

1. At the outset, Mr. Murlidhar Khadilkar, learned Advocate for the Petitioners craves leave to amend the prayer clause to incorporate the details of the chargesheet. Request not objected to by the Respondents. Leave granted. Amendment to be carried forthwith.

2. This Petition under Article 226 of the Constitution of India and 528 of Bhartiya Nagarik Suraksha Sanhita, 2023 (for short BNSS, 2023) is preferred against the FIR bearing No. 448 of 2019 dated 21<sup>st</sup> May, 2019 registered with Kondhwa Police Station, Pune under Section 498A, 504, 506 and 34 and the chargesheet bearing No. RCC 1162 of 2019

pending on the file of Cantonment Court, Pune, arising out of the said FIR.

3. Petitioners are present in Court with their Advocate Mr. Murlidhar Khadilkar. Photostat copies of the Identity Cards of the Petitioners tendered by Mr. Murlidhar Khadilkar are taken on record and marked '**X colly**' for identification.

4. Respondent No. 2 is present in Court with their Advocate Mr. Vinayak Pandit. Photostat copy of her Identity card tendered by Mr. Vinayak Pandit, is taken on record and marked '**X – 1**' for identification.

5. Mr. Murlidhar Khadilkar and Mr. Vinayak Pandit, jointly submit that the matrimonial dispute between the Petitioners and the Respondent No. 2 stands resolved before the Family Court Pune in Divorce Petition bearing P. A. No. A /1457/2018. They submit that the Respondent No. 2 and the Petitioner No. 1 have decided to part ways and separate from each other. They submit that pursuant to the settlement arrived by the parties in the said Divorce Petition, Respondent No. 2 has filed Affidavit dated 20<sup>th</sup> September, 2025

affirmed by her before Notary S. N. Dange, which is place on record of this petition (at page 59 to 65), same is marked “X-2” for identification.

6. Respondent No. 2 ( Neha Varma) states that the Affidavit (“X - 2”) is filed out of her own free will and without any force or pressure from any person and that the contents of the Affidavit (“X-2”) are as per her say. She states that has no objections for quashing of the criminal proceedings.

7. Mr. S. A. Karmakar, learned APP for the State submits that the parties having settled their dispute as stated by the Respondent No. 2 in the Affidavit (“X-2”) no purpose would be served in continuing with the criminal proceedings. He however submits that the investigation machinery was put to work on account of the complaint filed by the Respondent No. 2 in the year 2018, investigation was completed and even chargesheet was filed. He therefore submits that the Petitioners as well as Respondent No. 2 are required to pay cost.

8. Mr. Khadilkar and Mr Pandit on instructions from their respective parties jointly submit that the parties shall deposit an amount of Rs. 80,000/- as costs.

9. Considering the abovesaid circumstances, the nature of dispute, the statements made by the Respondent No. 2 in her Affidavit (X -2) and having regards to the pronouncement of Hon'ble Supreme Court in the case of Parbatbhai Aahir @ Parbatbhai vs The State of Gujarat<sup>1</sup>, Narinder Singh And Ors vs State of Punjab<sup>2</sup>, Gian Singh vs State of Punjab<sup>3</sup> there is no impediment for allowing this Petition.

10. In view of the above, subject to payment of cost, this Petition is allowed in terms of prayer clause (a). FIR 448 of 2019 registered with Kondhwa Police station and the chargesheet bearing No. 1162 of 2019 pending before the Court, Pune are quashed. Criminal Proceedings commenced on the basis of the impugned FIR are closed.

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1 2017 9 SCC 641  
2 2014 6 SCC 466  
3 2012 10 SCC 303

**11.** Petitioners and the Respondent. 2, shall deposit Rs. 80,000/- in the Bank Account of Central Police Welfare Fund within a period of two weeks from today, details of which are as under:

|                                |                                        |
|--------------------------------|----------------------------------------|
| 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                            |

**12.** List the matter on 23<sup>rd</sup> February, 2026 for reporting compliance on the deposit of cost.

**(ASHWIN D. BHOBE, J.)**