

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.5388 OF 2025

Priya Aniket Sagavkar alias Priya
Rukmangad Bawne ... Petitioner

Versus.

State Of Maharashtra ... Respondent

Mr. Amol Deshpande a/w Amol Alman, Advocate for the Petitioner.
Ms. Priya Sagavkar (Petitioner) (Through V.C),

Mr. Navin Sharma (Respondent No.2)(Through V.C),.

Mrs. Rajeshree Newton, APP for State.
API. Patil, Shivajinagar Police Station, Pune.

CORAM : ASHWIN D. BHOBE, J.

DATED : 6th April 2026

P.C.:

1. Heard Mr. Amol Deshpande, learned Advocate for the Petitioner and Mrs. Rajeshree Newton, learned APP State.
2. Mr. Navin Sharma appears through Video Conferencing Mode and states that he is the Respondent No.2 in this Petition. Petitioner (Ms. Priya Sagavkar), who also appears through Video Conferencing Mode and Mr Amol Deshpande learned Advocate for the Petitioner identifies Mr Navin Sharma as the Respondent No.2 in this Petition.
3. Mrs. Rajeshree Newton, learned APP, states that the Petitioner

who appears via Video Conferencing and Mr. Amol Deshpande, learned Advocate for the Petitioner, having identified Mr. Navin Sharma as Respondent No. 2 in this Petition, this Court can consider the matter on merits.

4. Mr Amol Deshpande, learned Advocate for the Petitioner, referring to the records of this petition , more so the proceedings before the Supreme Court Mediation Centre in the Transfer Petition CRA. No. 261 of 2020 with Transfer Petition No. CRA 116 of 2020 and the Affidavit of the Respondent No. 2 prays that this petition be allowed.

5. On 24th March, 2026, the following order was passed by this petition:-

“1. At the outset, Mr. Amol Deshpande states that there is a typographical error in the prayer clause (A-1) of the Petition, and therefore, he seeks leave to amend it. Mr. Tanveer Khan, learned APP for the State does not object to the request made by Mr. Amol Deshpande. In view of the no objection, leave is granted to amend the prayer clause (A-1). Amendment to be carried out forthwith.

2. Mr. Amol Deshpande states that the issue in this Petition is limited. To clarify, he submits that the entire dispute between the Petitioner, her relatives, and Respondent No. 2 was amicably resolved before the Hon’ble Supreme Court in Transfer Petition (Criminal) No. 261 of 2020. He states that, by order dated 16th December, 2022, the Hon’ble Supreme Court passed the following order :-

ORDER

We have heard learned counsel for the parties.

The parties were referred to Mediation Centre attached to this Court. The Mediation Centre has submitted a report stating that the dispute between the parties has been amicably settled.

The parties have filed a joint application supported by an affidavit containing the terms and conditions of settlement arrived at between them.

Prayer has also been made to grant them a decree of divorce by mutual consent in exercise of powers under Article 142 of the Constitution of India.

I.A. No.141226 of 2022 stands allowed. settlement agreement dated 19.09.2022 is taken record. Let a decree of divorce be drawn accordingly. The terms and conditions of the settlement shall form part of the decree.

In accordance with the terms of the settlement arrived at between the parties, all the proceedings whether civil or criminal pending between the parties, the details whereof have been mentioned in Annexure "B" and "C" of the settlement agreement, shall stand quashed. The parties shall be under an obligation to comply with the terms and conditions of the settlement.

The transfer petitions stand disposed of in the aforesaid terms. Pending application(s), if any, shall also stand disposed of.

3. *Mr. Amol Deshpande states that in Annexure 'B' and 'C' of the settlement agreement, the Criminal Case bearing R.C.C. No. 2735 of 2019 was inadvertently omitted. It was due to this mistake that the proceedings continued before the Court of the Additional Chief Judicial Magistrate, Pune. Upon realizing this fact, the Petitioner is before this Court. He submits that Respondent No. 2 has filed an affidavit dated 22nd January, 2025, affirmed before Notary Sanjay Tukaram Patankar, Pune District, Maharashtra, on 22nd January, 2025. He states that the affidavit is at page Nos. 65 of 70 of the petition paper book. He relies on paragraph No.9 of the affidavit, which reads as follows :-*

“9. Respondent No. 2 do not wish to proceed with against the Petitioner in view of consent terms agreed, executed and filed before Hon'ble Supreme Court in TRANSFER PETITION (CRIMINAL) NO. 261 OF 2020. Hence, this First Informant/Respondent No. 2 wants to withdraw all the allegations against Petitioner and has no objections to quash the proceeding in R.C.C. No. 2735/2019 pending before Learned Additional Chief Judicial Magistrate. Pune.”

4. *Since the prayer in this petition is to quash the proceedings, it would be appropriate to give Respondent No. 2 a chance for a hearing.*

5. *In view of the above, issue notice to Respondent No. 2, returnable on 1st April, 2026. Mr. Amol Deshpande requests for Humdast. At his request, Humdast granted.*

6. *Mr Amol Deshpande requests that this matter be listed for final disposal at the admission stage.*

7. *Parties are hereby notified that, given the limited issue involved in this Petition and the matter already being settled before the Hon'ble Supreme Court, an endeavour will be made to decide this Petition finally at the admission stage on the returnable date.*

8. *List this matter on 1st April, 2026 under the caption 'For Disposal'.”*

6. Respondent No. 2 (Mr. Navin Sharma) states that he has filed the Affidavit (at Page Nos. 65 to 70 of the paper book), affirmed by him before Notary Sanjay Tukaram Patankar, Pune District, Maharashtra, on 22nd January 2025, registered in the Office of the Notary under Serial No. 197 of 2025. He states that the contents of the said Affidavit are

true to his knowledge, as per his say and that he has filed the said Affidavit of his own free will and without coercion from anyone. He refers to Paragraphs Nos. 6, 7, 8, 9, and 10 of his Affidavit, which are transcribed below in verbatim:-

“6. That accordingly the details of all proceedings/complaints etc. pending between the executing parties in all Civil/Criminal/High Court/Supreme Court were stated in Annexure ‘B’ and ‘C’ of said consent terms. But inadvertently due to oversight/typing error, the reference of R.C.C. No.2735/2019 was omitted to mention in list of cases given in Annexure ‘B’ and ‘C’ of said consent terms which did not come in to notice of anyone. The Hon’ble Supreme Court vide order dated 16.12.2022 passed in view of consent terms signed between the parties herein allowing to quash all proceedings stated in Annexure B’ and ‘C’ of said consent terms and also granted divorce to Respondent No.2 and his wife by mutual consent.

7. Therefore having no other option, Petitioner decided to approach this Hon’ble Court for the purpose of quashing the proceedings in R.C.C. No.2735/2019 pending before Learned Additional Chief Judicial Magistrate, Pune in view of consent terms agreed, executed and filed before Hon’ble Supreme Court in TRANSFER PETITION (CRIMINAL) NO.261 OF 2020.

8. That in view of above stated facts and circumstances, no purpose will serve by keeping proceedings continue in R.C.C. No.2735/2019 pending before Learned Additional Chief Judicial Magistrate, Pune in view of consent terms agreed, executed and filed before Hon’ble Supreme Court in TRANSFER PETITION (CRIMINAL) NO.261 OF 2020.

9. Respondent No.2 do not wish to proceed with against the

Petitioner in view of consent terms agreed, executed and filed before Hon'ble Supreme Court in TRANSFER PETITION (CRIMINAL) NO.261 OF 2020. Hence, this First Informant/Respondent No.2 wants to withdraw all the allegations against Petitioner and has no objections to quash the proceeding in R.C.C. No.2735/2019 pending before Learned Additional Chief Magistrate, Pune.

10. Hence, for the same, the First Informant/Respondent No.2 is executing this Affidavit today out of his own wish and will and consent, and there is not any force, undue influence to execute the present Affidavit”.

7. Respondent No. 2 (Mr Navin Sharma) states that he agrees with the contentions of the Petitioner and he has no objection to allowing this petition in terms of the prayer clause (A1).

8. Mrs. Rajeshree Newton, learned APP, submits that the record indicates that the entire controversy/dispute between the Petitioner and Respondent No. 2 was resolved before the Supreme Court Mediation Centre in the Transfer Petition CRA. No. 261 of 2020 with Transfer Petition No. CRA 116 of 2020, in its entirety. She states that Respondent No.2, who appears through Video Conferencing, having admitted and confirmed the affidavit and reiterated the said affidavit, this application can be allowed.

9. In view of the above and with no objections from the Respondent No. 2 (Mr. Navin Sharma), who appears via Video Conferencing, this petition is allowed in terms of prayer clause (A1), which reads as

follows:-

“(A1) This Hon’ble Court may be pleased and kind to quash and set aside the Charges framed by the Hon’ble Additional Chief Judicial Magistrate, Pune on 11.02.2020 in R.C.C. No.2735 of 2019, considering the settlement arrived between the parties before the Hon’ble Supreme Court”.

10. This Writ Petition No.5388 of 2025 is disposed of.

(ASHWIN D. BHOBE, J.)