

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

CRIMINAL WRIT PETITION NO.5561 OF 2025

1. Hullashchandra Dulerai Mehta	]
2. Padma Hullashchandra Mehta	]
3. Hitesh Hullaschandra Mehta	] .. Petitioners

Versus

1. State of Maharashtra,	]
Through D.B. Marg Police Station, Mumbai	]
2. Binita Hitesh Mehta	] .. Respondents

Mr. Aditya Mehta, Advocate for the Petitioners.

Ms. Pramila Prajapati with Ms. Binita Mehta, Advocates, i/by Pandey & Co.,
for Respondent No.2.

Mrs. Mankunwar M. Deshmukh, In-Charge Public Prosecutor with Mr. J.P.
Yagnik, Additional Public Prosecutor for the Respondent-State of Maharashtra.
API Anil Kamble, Matunga Police Station, Mumbai with Pairavi Officer -
Deepak Hol, D.B. Marg Police Station are present in Court.

CORAM : GAUTAM A. ANKHAD, J.

DATE : 10TH MARCH 2026.

[THROUGH HYBRID HEARING]

P.C. :

1. The marriage between Petitioner no.3 and Respondent no.2 was solemnized on 13th December 2018 at Mumbai. Petitioner no.3 works and resides at Uganda, Africa and subsequent to the marriage, Respondent no.2 who was initially residing at the residence of petitioner nos. 1 and 2 in Gujarat, moved to Uganda with Petitioner no.3.

2. Due to marital discord, differences arose between the parties and a First Information Report no.125 of 2019 was registered by Respondent no.2 with the D.B. Marg Police Station on 4th July 2019 alleging that she was subjected to harassment and cruelty. A charge-sheet was subsequently filed and numbered as C.C. No.222/PW/2020 before the Judicial Magistrate First Class at Girgaon, Mumbai. Respondent no.2 initiated proceedings under the Protection of Women from Domestic Violence Act ("DV Act") registered as Case No. 26 of 2019 before the 18th Metropolitan Magistrate's Court, Girgaon and by an order dated 19th April 2023, this Court quashed the said proceedings qua Petitioner nos.1 and 2. Consent Terms dated 19th January 2024 were executed between Petitioner no.3 and Respondent no.2 before the Family Court at Bandra in a divorce Petition no.A/615/2020. A decree of divorce has been granted on 19th January 2024. The Consent Terms record that the parties wish to settle their disputes amicably and put a quietus to the matter. The Consent Terms also record at paragraph no.6 that the petitioners shall return all the items belonging to Respondent no.2 and that Respondent no.2 shall give her consent to quash all the pending proceedings against the Petitioners. The present petition for quashing of FIR and charge-sheet thereto is allowed only due to the undertakings of the Petitioners as laid down in the said Consent Terms.

3. The Hon'ble Supreme Court in "*B.S. Joshi v. State of Haryana*" (2003) 4 SCC 675 held that the High Court can invoke its inherent power to quash criminal cases stemming from marital disputes, provided the court is satisfied that an amicable settlement has been reached, which serves the interests of justice. The parties have settled their dispute and divorce is already granted. In view of the same, **Writ Petition No.5561 of 2025 is allowed** in terms of prayer (A), which reads as under:

"A. *This Hon'ble Court may kindly quash C.C. No.222/PW/2020 that is presently pending before Judicial Magistrate First Class at Girgaon, Mumbai and the charge-sheet therein filed in FIR No.125 of 2019 dated 4th July 2019 registered with D.B. Marg Police Station.*"

[GAUTAM A. ANKHAD, J.]