

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 5618 OF 2025

Divyasnsnsh Mukesh Deopura

...Petitioner

Vs.

State of Maharashtra and Anr.

...Respondents

Ms. Harshada Parbhare a/w. Mr. Prashant Patil Advocates for the
Petitioner.

Mr. Santosh Kumar Singh a/w. Mr. Aarti Singh, Advocates for
Respondent No.2.

Ms. Pallavi Dabholkar, APP for the State.

CORAM : ASHWIN D. BHOBE, J.

DATE : 20th JANUARY, 2026.

P.C. :

1. Heard Mr. Prasanna Patil, learned Advocate for the
Petitioner. He submits that pending the proceedings, the
prosecution has filed charge-sheet. He craves leave to amend the
prayer clause/s of Petition to seek reliefs in respect of the charge-
sheet. Request is not objected by Mr. Santosh Kumar Singh
Advocate for the Respondent No. 2 and Ms. Pallavi Dabholkar,
learned A.P.P. for the State/Respondent. In view of the No
Objection, leave is granted to amend the prayer clauses of Petition.
Amendment to be carried out forthwith.

2. By the present petition, the Petitioner seeks the following reliefs :

"a. That, this Hon'ble Court may be pleased to exercise it's powers under Article 226 of the Constitution of India and under Section 528 of the Bhartiya Nagrik Suraksha Sanhita, 2023, to quash and set aside FIR no. 364 of 2025 registered with the Mira Road Police Station for offence under section 69 of the Bhartiya Nyaya Sanhita, 2023 on the ground that the same is illegal, arbitrary and without any role attributable to the present Petitioner.

d. That, this Hon'ble Court may be pleased to quash and set aside subsequent proceedings arising out FIR No. 364/25 including Charge-sheet filed before the Hon'ble Trial Court, Thane;"

3. Petitioner is present along with his Advocate Mr. Prasanna Patil. Respondent No.2 is present along with her Advocate Mr. Santosh Kumar Singh. Mr. Prasanna Patil and Mr. Santosh Kumar Singh jointly submits that the Petitioner and Respondent No. 2 have amicably resolved the matrimonial dispute, as such they are praying for quashing of the criminal proceedings by consent.

4. Mr. Santosh Kumar Singh tenders the Affidavit dated 10/11/2025 of Respondent No.2 affirmed before Avadesh Kumar. Said Affidavit dated 10/11/2025 is taken on record and marked

"X" for identification. Respondent No.2 (Shayantani Das) states that she has filed the Affidavit ("X") out of her own free will and without any force or coercion from any person. She states that the contents of the Affidavit ("X") as per her say. She states that the matter being amicably settled, between her and the Petitioner, she has no objection for quashing of the criminal proceedings.

5. Ms. P. Dabholkar, learned APP for the State, submits that as Respondent No.2 has filed the Affidavit ("X"), no purpose would be served in continuing the criminal proceedings. She submits that the criminal proceedings which are subject of this Petition can be quashed.

6. Considering the amicable settlement between parties, the statements made by the Respondent No. 2 in her Affidavit ("X"), the nature of dispute and having regards to the judicial pronouncements in the case of *Gian Singh v. State of Punjab*¹ and *Narinder Singh & ors v. State of Madhya Pradesh*² there is no impediment if this Petition is allowed. I therefore deem it fit and

¹(2012) 10 SCC 303.
²2025 Scc Online Sc 466

proper to exercise the power under Section 528 of BNSS and quash the criminal proceedings.

7. Petition is allowed in terms of prayer clauses (a) and (d). Consequently, the FIR No. 364 of 2025 registered with Mira Road Police Station and the Charge Sheet arising from the said FIR are quashed.

8. There shall be no order as to costs.

(ASHWIN D. BHOBE, J.)