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

CRIMINAL WRIT PETITION NO.6017 OF 2025

Abhijeet s/o Suresh Bhagwat & Anr. : Petitioners.
Versusb
State of Maharashtra & Anr : Respondents.

Ms. Shweta Ankalwal for the Petitioners.
Mr. Sukanta Karmakar, APP for the Respondent/State.
Mr. Devesh Suralkar a/w Adv. Shreyas R Zarkar and Adv.
Chirag Singh Rawat for the Respondent No.2.

CORAM : ASHWIN D. BHOBE, J.

DATED : 16 MARCH 2026

PC:-

1. Heard Ms. Shweta Ankalwal for the Petitioners, Mr. Sukanta Karmakar, learned APP for the Respondent/State, and Mr. Devesh Suralkar, learned Advocate for Respondent No.2.

2. This petition, filed under Article 226 of the Constitution of India and Section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023, aims to quash FIR No. 253 of 2023 (impugned FIR) registered with Chatushrungi Police Station, Pune, and the charge sheet RCC No. 3075 of 2023 pending before the

Court of Judicial Magistrate First Class, Pune, which arises from the impugned FIR.

3. The Petitioner No.1 is present in court physically, and Petitioner No.2 appears through V.C. and are identified by their Advocate Ms. Shweta Ankalwal. She tenders photostat copies of the Petitioners' Identity Cards, which are taken on record and marked as "X-Colly" for identification.

4. Respondent No. 2 is present in the court and is identified by her advocate, Mr. Devesh Suralkar. He submits a photocopy of Respondent No. 2's identity card, which is taken on record and marked as "X-1" for identification.

5. Mr. Devesh Suralkar states that the Affidavit dated 15 December 2025, affirmed by Respondent No.2 before the Registry of this Court, is on record, same is marked as "X-2" for identification.

6. Respondent No. 2 states that the said Affidavit (X-2) is filed voluntarily and without any pressure or coercion from anyone. She states that the contents of the Affidavit (X-2) are as per her say. She reiterates her no objection to the quashing of the criminal proceedings.

7. Ms. Shweta Ankalwal, learned Advocate for the Petitioners, and Mr. Devesh Suralkar, learned Advocate for Respondent No. 2, submit that the subject matter of the impugned FIR concerns a matrimonial dispute between Petitioner No. 1 (husband) and Respondent No. 2 (wife). They

submit that Petitioner No. 1 and Respondent No. 2 have amicably resolved the dispute and that Respondent No. 2 has no objection to quashing the criminal proceedings against the Petitioners. They submit that Petitioner No. 1 and Respondent No. 2 have applied for divorce by mutual consent before the Family Court, Pune, under Petition No. P.A. 1267 of 2024. They therefore request that the criminal proceedings be quashed.

8. Mr. Sukanta Karmakar, learned APP for the Respondent/State, submits that the matrimonial dispute between Petitioner No.1 and Respondent No.2 having being settled, and Respondent No.2 having filed her Affidavit (X-2) giving no objection to quashing the criminal proceedings, he has no objection to quashing the proceedings but insists on the imposition of costs on the Petitioners as well as Respondent No. 2.

9. Considering the above facts, the submissions of the learned Advocates for the parties, the subject matter of the impugned FIR being a matrimonial dispute between Petitioner No.1 and Respondent No.2, and the decision of Petitioner No.1 and Respondent No.2 to part ways by filing divorce proceedings before the Family Court, Pune, no useful purpose will be served by allowing the criminal prosecution to continue, especially given the statements made by Respondent No. 2 in the Affidavit (x-2). Having regard to the pronouncements of the Hon'ble Supreme Court in *Gian Singh*

*vs State Of Punjab*¹, *Narinder Singh And Ors vs State Of Punjab And Anr*² and *Parbatbhai Aahir @ Parbatbhai vs The State Of Gujarat*³, there is no impediment to allowing this petition.

10. Ms. Shweta Ankalwal and Mr. Devesh Suralkar, on instructions, submit that the Petitioners and Respondent No.2 shall deposit appropriate costs.

11. Subject to the payment of Rs. 75000/- (i.e., Rs. 50000/- by the Petitioners and Rs. 25000/- by Respondent No.2) as a condition precedent, this petition is allowed in terms of prayer clause (b). Consequently, the impugned FIR and the chargesheet arising from it are quashed.

12. The Petitioners and the Respondent No.2 shall deposit their respective costs in the below-mentioned Accounts within a period of two weeks from today and file in the Registry of this Court the compliance affidavit along with the proof of deposit on or before 02 April 2026.

a] The Petitioners shall deposit the amount of Rs.50000/- in :-

**The High Court Employees Medical Welfare Fund at
Mumbai**

Account No.: 000120110001337

Bank : Bank of India

Branch : Mumbai Main

IFSC Code : BKID0000001

¹ 2012 10 SCC 303

² 2014 6 SCC 466

³ 2017 9 SCC 641

b] The Respondent No.2 shall deposit the amount of Rs.25000/- in :-

Central Police Welfare Fund

Director General MS Mumbai

Account No: 914010029005759

Bank : Axis Bank Limited

Branch : Worli, Mumbai (M.H.), Mumbai - 400 025

IFSC Code: UTIB0000060

13. The Writ Petition No.6017 of 2025 is disposed of.

(ASHWIN D. BHOBE, J.)