IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 6038 OF 2025

Rajkumar Amruthrao Guddadigi … Petitioner

Versus.

Shailaja Rajkumar Guddadigi
@Shailaja Gurunath Dastapur And Anr. … Respondents

Mr. Neil Chandiwala a/w Sakshi Naik i/b Amol Patankar, for the Petitioner.

Petitioner is present in Court.

Mr. Kundan Bhore, for the Respondent No. 1.

Respondent No. 1 is present in Court.

Mrs. Poonam Bhosale, APP for the Respondent – State.

API Mahesh Bandgar, Manpada Police Station, is present.

CORAM : ASHWIN D. BHOBE, J.
DATE : 22nd April, 2026.

P.C. :

1. Heard Mr. Neil Chandiwala learned Advocate for the Petitioner, Mrs. Poonam Bhosale learned APP for the Respondent – State and Mr. Kundan Bhore learned Advocate for the Respondent No. 1.

2. This Petition under Article 226 of the Constitution of India and Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, is filed by

the Petitioners seeking to quash FIR No. 277 of 2023, dated 24.04.2023, registered with Manpada Police Station (hereinafter “impugned FIR”), for offences punishable under Sections 323, 498A, 504, and 506 read with 34 of the Indian Penal Code, 1860 and the Chargesheet bearing No. J-303/2023 registered as Case No. R.C.C. 829/2023, pending before the Judicial Magistrate First Class, 3rd Court, Kalyan.

3. Mr. Neil Chandiwala and Mr. Kundan Bhore submit that the subject matter of the present Petition is a matrimonial dispute between the Petitioner (Husband) and the Respondent No. 1 (Wife). They submit that the said dispute has been amicably resolved by filing consent terms in Criminal Writ Petition No. 3772 of 2023 before this Court. They submit that the Petitioner and the Respondent No. 1 are separated by way of divorce by mutual consent, as granted by the Civil Judge, Senior Division, Kalyan, by decree dated 01.11.2025 passed in Matrimonial Petition No. 2110 of 2021. They submit that the impugned FIR in the context of the Mother-in-law and the Sister-in-law stands quashed in view of the Order dated 16.09.2025 passed by this Court in Criminal Writ Petition No. 3772 of 2023 and 3773 of 2023 (page nos. 90 to 93 of the Petition paper book). They submit that the Respondent No. 1 has affirmed an Affidavit dated 18.04.2026, stating her no objection to the

quashing of the impugned FIR and the chargesheet. They therefore pray that this petition be allowed.

4. The Petitioner is present in Court and is identified by his Advocate Mr. Neil Chandiwala. He tenders photocopy of the identity card of the Petitioner, which is taken on record and marked as **"X"** for identification.

5. Respondent No. 1 is present in Court and is identified by her Advocate Mr. Kundan Bhore He submits a photocopy of Respondent No. 1's identity card, which is taken on record and marked as **"X-1"** for identification.

6. Mr. Kundan Bhore states that the Affidavit dated 18.04.2026 affirmed by the Respondent No. 1 before the Notary Anant Pande, is placed on record, the same is marked as **"X-2"** for identification.

7. Respondent No. 1 states that she has filed the Affidavit (X-2) of her own free will, without any force or coercion from anyone. She states that the contents of the Affidavit (X-2) are true and as per her say. She states that she and the Petitioner have separated by way of divorce. She states that she intends to lead a peaceful life and as such, she has given

her no objection by way of her Affidavit (X-2) to the quashing of the impugned FIR and the chargesheet arising out of the impugned FIR. She therefore states that this Petition be allowed.

8. Mrs. Poonam Bhosale learned APP for the Respondent No. 2 – State, submits that the matrimonial dispute between the Petitioner and the Respondent No. 1 being amicably resolved and the Petitioner and the Respondent No. 1 being separated by divorce granted by the Civil Court as per the decree dated 01.11.2025 passed in Matrimonial Petition No. 2110 of 2021, the Respondent No. 2- State has no objection to the quashing of the criminal proceedings. She, however, insists on imposing costs on the Petitioner and the Respondent No. 1 for having dragged the police machinery into a matrimonial dispute.

9. Mr. Neil Chandiwala and Mr. Kundan Bhore, on instructions from the Petitioner and Respondent No. 1, state that they shall pay appropriate costs.

10. Considering that the matrimonial dispute between the Petitioner and the Respondent No. 1 has been settled by a decree dated 01.11.2025 passed by the Civil Judge, Senior Division, Kalyan, in Matrimonial Petition No. 2110 of 2021, the impugned FIR being quashed in respect

of the other accused by this Court by order dated 16.09.2025 passed in Writ Petition Nos. 3772 of 2023 and 3773 of 2023, the statement made by the Respondent No. 1 before this Court today and her no-objection by way of the Affidavit (X-2), no useful purpose would be served by continuing the criminal proceedings.

11. Having regard to the pronouncements of the Hon'ble Supreme Court in the case of *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 in allowing this Petition.

12. In view of the above, this Petition is allowed in terms of prayer clause (a), subject to payment of costs of Rs. 10,000/- by the Petitioner and costs of Rs. 10,000/- by the Respondent No. 1. Payment of costs is a condition precedent. Consequently, the impugned FIR and the chargesheet arising therefrom are quashed.

13. The Petitioner shall deposit the cost of Rs. 10,000/- into the account mentioned below within three (3) weeks from today.

---

1 2012 10 SCC 303

2 2014 6 SCC 466

3 2017 9 SCC 641

The High Court Employees Medical Welfare Fund at Mumbai	
Account No. :	000120110001337
Bank:	Bank of India
Branch:	Mumbai Main
IFSC Code:	BKID0000001

14. The Respondent No. 1 shall deposit the cost of Rs. 10,000/- into the account mentioned below within a period of three (3) weeks from today.

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

15. The compliance affidavit, along with the proof of deposit, shall be

filed by the Petitioner and Respondent No. 1 in the Registry of this Court on or before 10.06.2026.

16. Writ Petition No. 6038 of 2026 is disposed of.

(ASHWIN D. BHOBE, J.)

ARJUN KRISHNA RODGE
Digitally signed by ARJUN KRISHNA RODGE
Date: 2026.04.28 12:05:48 +0530