

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

CRIMINAL APPLICATION NO. 779 OF 2025

Mitesh Ashok Vaidya And Ors. ... Applicants

V/S.

The State Of Maharashtra & Anr. ... Respondents

Mr. Yogesh Deshpande a/w Pranav Rane and Harshada Kandalkar
i/b YKD & Associates, for the Applicants.

Mr. Ilsa Shaikh a/w Kamlesh Mali, for the Respondent No. 2.

Mr. K. C. Shinde, APP for the Respondent – State.

PSI Sunil Sonawane, Pairavi Officer, Charkop Police Station,
Mumbai, is present.

CORAM : ASHWIN D. BHOBE, J.

DATE : 11th FEBRUARY, 2026.

P.C. :

1. At the outset, Mr. Yogesh Deshpande, learned Advocate for the Applicants submits that the Applicant No. 3, Ashok Krishnaji Vaidya, has expired on 4th August, 2025. He therefore craves leave to delete the Applicant No. 3 from the cause title. Leave granted. Amendment to be carried out forthwith.

2. Heard Mr. Yogesh Deshpande, learned Advocate for the

Applicants, Mr. K. C. Shinde learned APP for the Respondent/State and Ms. Ilsa Shaikh, learned Advocate for Respondent No.2.

3. This Application under Section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 is preferred by the Applicant for quashing the FIR bearing No. 0994 registered with Charkop Police Station, Mumbai for the offences punishable under Sections 498(A), 406, 420, 323, 504, 506, 34 of the Indian Penal Code, 1860.

4. Applicants appear through V.C., Mr. Yogesh Deshpande, learned Advocate for the Applicant identifies all the Applicants appearing through VC.

5. Mr. Yogesh Deshpande, tenders the Photostat copies of the Identity Cards of 4 Applicants, which are taken on record and marked as **“X-Colly”** for identification.

6. Respondent No.2 is present the Court and is identified by her Advocate Ms. Ilsa Shaikh. She tenders Photostat copy of Identity Card of Respondent No.2, which is taken on record and marked as **“X-1”** for identification.

7. Mr. Yogesh Deshpande, learned Advocate for the Applicants and Ms. Ilsa Shaikh, learned Advocate for the Respondent No. 2 submit that the matrimonial dispute between the Applicants and the Respondent No. 2 is amicably settled. They submit that the Petitioners and Respondent No. 2 have filed consent terms before the Family Court, Bandra, Mumbai on 3rd February, 2025. They submit that in view of the settlement, the Respondent No. 2 has given her no objection for quashing of the criminal proceedings.

8. Ms. Ilsa Shaikh states that the Affidavit dated 25th September, 2025 affirmed by Respondent No.2 before the Consulate General of India, Dubai is placed on record. Same is marked as “X-2” for identification.

9. Respondent No. 2 states that the said Affidavit (X-2) is filed out of her own free will and without any pressure or coercion from any person. She states that the contents of the Affidavit (X-2) are as per her say. She reiterates her no objection for quashing of the criminal proceedings.

10. Mr. K. C. Shinde, learned APP submits that in view of the

compromise and settlement between the Applicant and Respondent No. 2, and the statements made by the Respondent No. 2 in Affidavit (X-2), the criminal proceedings initiated on the complaint of Respondent No. 2 can be quashed. He however insists of imposition of cost.

11. Mr. Yogesh Deshpande and Ms. Ilsa Shaikh, on instructions from the Applicant and the Respondent No. 2 submit that the Applicants would deposit appropriate cost.

12. Considering the aforesaid circumstances, the nature of dispute, the matter being settled between the Applicants and the Respondent No.2, the Respondent No.2 having given her no objection in the Affidavit (X-2) and having regards 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 Application.

13. In view of the above, Criminal Application No. 779 of 2025

1 2012 10 SCC 303

2 2014 6 SCC 466

3 2017 9 SCC 641

is allowed in terms of prayer clause (a) subject to payment of costs of Rs. 50,000/- as condition precedent. Consequently, the impugned FIR bearing No. 0994 dated 3rd December, 2022 registered with the Charkop Police Station is quashed and criminal proceedings arising out of the said FIR are closed.

14. The Applicants shall deposit cost of Rs. 25000/- in the below mentioned Account of Central Police Welfare Fund within a period of two weeks from today.

Central Police Welfare Fund	
Account No. :	914010029005759
Bank :	Axis Bank Limited
Branch :	Worli, Mumbai (M.H.), Mumbai – 400 025
IFSC Code :	UTIB0000060

15. Deepstambh Foundation, Delhi within a period of two weeks from today. The Respondent No. 2 shall deposit cost of Rs. 25000/- in the below mentioned Account of

Deepstambh Foundation Delhi	
Bank Name:	ICICI Bank
Account No.:	697401700986
Account Type:	Savings
IFSC Code :	ICIC0006974
MICR Code :	425229003
Accountant Contact No.	8411050743 (Niraj Agrawal)
Accountant Contact No.	8459558844 (Anup Chaudhari)

16. The compliance affidavit along with the proof of deposit be filed in the Registry of this Court on or before 9th March 2026.

(ASHWIN D. BHOBE, J.)