

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

CRIMINAL APPLICATION NO.895 OF 2025

Sanjay Surendranath Singh & ors. : Applicants.
Versus
State of Maharashtra and anr. : Respondent.

Mr. Keshav Patil, for the Applicants.
Ms. Pallavi N Dabholkar, APP for Respondent/State.
Mr. Sharad R Dhore, Advocate for Respondent No.2.

CORAM : ASHWIN D. BHOBE, J.
DATED : 10 FEBRUARY 2026

PC:-

1. Heard Mr. Keshav Patil, learned Advocate for the Applicants, Ms. Pallavi Dabholkar, learned APP for the Respondent/State and Mr. Sharad Dhore, learned Advocate for Respondent No.2.

2. This Application under Section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 is preferred by the Applicants for quashing the FIR bearing No. 415/2024 dated 30 May 2024 registered with Bhandup Police Station for the offences

punishable under Sections 498A, 323, 504, 506, 406 r/w 34 of the Indian Penal Code read with Sections 3 and 4 of the Dowry Prohibition Act, 1961 and chargesheet bearing registered Case No.PW/651/2024 pending before the JMFC, Mulund.

3. Applicant Nos. 1, 3 to 5 are present in the Court and are identified by their Advocate Keshav Patil. Mr. Keshav Patil states that Applicant No.2 had a paralytic stroke and is presently bedridden. He, therefore, seeks exemption. Request made by Mr. Keshav Patil not objected to by Ms. Pallavi Dabholkar, learned APP for the Respondent/State. He tenders the Photostat copies of the Identity Cards (five in number) of the Applicants, 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. Sharad Dhore. He tenders Photostat copy of the Identity Card of Respondent No.2, which is taken on record and marked as “X-1” for

identification.

5. Mr. Keshav Patil, learned Advocate for the Applicants and Mr. Sharad Dhore, learned Advocate for Respondent No.2 submit that the matrimonial dispute between the Applicants and Respondent No.2 is amicably resolved. They submit that the Applicant No.1 (Husband) and the Respondent No.2 have filed proceedings seeking divorce by mutual consent and the same are pending before the Family Court, Bandra. In view of the settlement, the Respondent No.2 has given her no objection.

6. Mr. Sharad Dhore states that the Affidavit dated 17 January 2026 affirmed by Respondent No.2 before the Notary Advocate S N Dhanage is placed on record, same is marked as “X-2” for identification.

7. 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.

8. Ms. Pallavi Dabholkar, learned APP for the Respondent/State submits that the subject matter being a matrimonial dispute which stands settled and the statement made by Respondent No.2 in her Affidavit (X-2), the criminal proceedings can be quashed subject to costs.

9. Mr. Keshav Patil, on instructions, submits that the Applicants shall deposit an amount of Rs.15,000/- as costs.

10. Considering the aforesaid circumstances, the nature of dispute, the matter being settled between the Applicants and the Respondent No.2, the statement of Respondent No.2 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*

¹ 2012 10 SCC 303

² 2014 6 SCC 466

*Gujarat*³, there is no impediment in allowing this Application.

11. In view of the above, Criminal Application No.895 of 2025 is allowed in terms of prayer clause (a) subject to payment of costs of Rs.15,000/- by the Applicants. Consequently, the impugned FIR bearing No. 415/2024 and chargesheet bearing registered Case No.PW/651/2024 pending before the JMFC, Mulund are quashed.

12. The Applicants shall deposit the costs of Rs.15,000/- in the below mentioned Account within a period of two weeks from today and file in the Registry the compliance affidavit along with the proof of deposit on or before 10 March 2026 :-

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

Account No.: 000120110001337

Bank : Bank of India

Branch : Mumbai Main

IFSC Code : BKID0000001

13. This Criminal Application is allowed in the above-said terms.

(ASHWIN D. BHOBE, J.)

³ 2017 9 SCC 641