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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 1029 OF 2025

Kaustubh Jayant Kulkarni & Ors. ... Applicants

V/s.

The State of Maharashtra & Anr. ... Respondents

Mr. Amol Jagtap, Advocate for the Applicants.

Ms. Surbhi Agrawal, Advocate for Respondent No. 2.

Mr. Tanveer Khan, APP for Respondent - State.

Kaustubh Jayant Kulkarni for Applicant No. 1, present in Court.

Mrs. Madhura Kaustubh Kulkarni, for Respondent No. 2, present in Court.

CORAM : ASHWIN D. BHOBE, J.

DATE : 12th JANUARY, 2026.

P.C. :

1. By the present Application, the Applicants have sought the following substantive reliefs :-

“A. That, this Hon’ble Court be pleased to quash and set aside the impugned FIR dated 27/05/2025 lodged with Nanded City Police Station, Pune alongwith the chargesheet and consequential proceedings bearing R.C.C. No. 4416/2025 pending before 18-Judicial Magistrate F.C. Anti – Corruption, Pune.”

2. Applicants along with their Advocate Mr. Amol Jagtap are present in Court. Respondent No. 2 is also present before this Court with her Advocate Ms. Surbhi Agrawal. Ms. Surbhi Agrawal, learned Advocate for Respondent No. 2 undertakes to her the Vakalatnama in the Registry.

3. Mr. Amol Jagtap and Ms. Surbhi Agrawal jointly tender a copy of the consent terms for mutual consent divorce filed by the Applicant No. 1 and Respondent No. 2 in Petition No. A.802 of 2025 on the file of the Family Court No. 09, Pune, at Pune. Said consent terms are arrived at and signed before the Marriage Counsellor, Family Court, Pune. Signed copy of the consent terms dated 10th December, 2025 is taken on record and marked as 'X' for identification.

4. Applicants states that the family dispute between them and the Respondent No. 1 is amicably resolved before the Family Court. Applicant No. 1 states that he has signed the consent terms dated 10.12.2025 marked as 'X'.

5. Ms. Surbhi Agrawal, learned Advocate for the Respondent No. 2 has tenders consent affidavit dated 12th January, 2026 affirmed by the Respondent No. 2 before Notary Advocate S. N. Dange. Respondent No. 2 states that the said affidavit is filed out of her own free will and without any pressure or coercion from any person. She refers to paragraph Nos. 2 & 3 of the affidavit. Said affidavit dated 12th January, 2026 with pagination Nos. 101 to 103 is taken on record and marked as **'X-1'** for identification Respondent No. 2 has reiterated before this Court, the statements made by her in paragraph Nos.1 to 5 of the affidavit. She identifies her signature at point **A**. She states that the FIR was lodged on account of a matrimonial discord between her and the Applicants. She submits that she and the Applicants have resolved the dispute before the Family Court as recorded in the documents marked as **'X'**.

6. Mr. Amol Jagtap and Ms. Surbhi Agrawal, learned Advocate for the Applicants and Respondent No. 2, respectively, jointly submit that the marriage between the Applicants and the Respondent No. 2 has irretrievably broken down. They submit that

the Applicant No.1 as well as the Respondent No. 2 have decided to amicably part ways. They therefore submit that the Criminal proceedings filed by the Respondent No. 2 against the Applicants may not be continued and the same be quashed.

7. Mr. Tanveer Khan, learned APP for the State submits that the Applicant No. 1 and the Respondent No. 2, having decided to part ways and having amicably resolved their matrimonial issues, the FIR as well as the Criminal proceedings arising out of the FIR be quashed.

8. Considering the submissions of the learned Advocates, statements of the Applicants and the Respondent No. 2, documents marked as 'X' and 'X1' and guided by the decision of the Hon'ble Supreme Court in the case of *Parbatbhai Aahir Alias Prabatbhai Bhimsinbhai Karmur and Others Vs. State of Gujarat and Anr*¹. I deem it fit and proper to exercise power under Section 528 of the BNSS to quash the Criminal proceedings.

1(2017) 9 SCC 641)

9. In view of the above, the Petition is allowed in terms of prayer clause (a). The FIR dated 27th May, 2025 lodged with Nanded City Police Station, Pune along with the charge-sheet bearing R.C.C. No. 4416 of 2025 on the file of 18th Judicial Magistrate, First Class, Anti Corruption, Pune are quashed. Proceedings arising out of the said crime are closed.

10. Criminal Application No. 1029 of 2025 is disposed of in the above said terms.

(ASHWIN D. BHOBE, J.)