

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CRIMINAL APPELLATE JURISDICTION**  
**CRIMINAL APPLICATION NO. 1415 OF 2025**

Sahil Pravin Makwana ... Applicant

V/s.

The State of Maharashtra & Anr. ... Respondents

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Mr. Amol Jagtap, Advocate for the Applicant.

Ms. Samruddhi Tiwatne i/ Ms. Ritika Gangwani i/b Mr. Shivam Shrivastava, Advocate for Respondent No.2.

Mr. Kiran Shinde, APP for Respondent - State.

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**CORAM : ASHWIN D. BHOBE, J.**

**DATE : 21<sup>st</sup> JANUARY, 2026.**

**P.C. :**

1. This Application under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNS') is preferred for quashing of the FIR bearing No. 47 of 2025 registered with Khadak Police Station u/s 376 of the IPC.

2. Mr. Amol Jagtap, learned Advocate for the Applicant and Ms. Samruddhi Tiwatne, learned Advocate for the Respondent

No. 2, jointly submit that the Applicant and the Respondent No. 2 have amicably resolved their differences and have decided to marry each other. They submit that the Petitioner is engaged with the Respondent No. 2 on 4<sup>th</sup> March, 2025. They refer to the engagement invitation (at Exhibit – B, page No. 14 of the paper book) in support of their statement. They therefore submit that the criminal proceedings be quashed.

3. Respondent No. 2 and Petitioner are present before this Court, who are identified by their Advocates. Respondent No. 2 and Petitioner state that they are engaged and would be marrying shortly.

4. Ms. Samruddhi Tiwatne, states that Respondent No.2 has filed an affidavit dated 06.11.2025 affirmed by her before Notary Mohd Shakir Ismail Khan. Mr. Amol Jagtap states that the said affidavit dated 06.11.2025 is at page No. 15 of the paper book. Respondent No. 2 states that the affidavit dated 06.11.2025 is filed out of her own free will and without any pressure from any person. She reiterates the contents of the said affidavit and states

the same are as per her say. She states that she is consenting to quashing the criminal proceedings against the Applicant, who is to be her husband very shortly.

5. Mr. Kiran Shinde, learned APP for the State, submits that no purpose would be served in continuation of the criminal proceedings in view of the statements made by Respondent No. 2 in her affidavit dated 6<sup>th</sup> November, 2025, as also the statements made by Applicant and Respondent No. 2 of they being engaged as on date.

6. Considering the aforesaid circumstances, the fact that the Respondent No. 2 has no objection for quashing the proceedings and having regards to the pronouncements of the Hon'ble Supreme Court in the cases of Parbatbhai *Aahir Alias Parbatbhai Bhimsinbhai Karmur and Others Vs. State of Gujarat and Anr*<sup>1</sup> and *Sandeep Singh Thakur Vs. State of Madhya Pradesh and Anr*<sup>2</sup>, the relief sought in the Application can be granted.

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<sup>1</sup> (2017) 9 SCC 641.

<sup>2</sup> 2025 SCC OnLine SC 2927.

7. This Criminal Application is allowed in terms of prayer clause (A). Consequently, the FIR bearing No. 47 of 2025 registered with Khadak Police Station is quashed.

8. There shall be no order as to costs.

(ASHWIN D. BHOBE, J.)