

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

CRIMINAL APPLICATION NO. 1639 OF 2025

Chandru Dhunichand Motwani And Ors. ...Applicants

Versus

The State of Maharashtra And Anr. ...Respondents

Ms. Sonal V. Parab a/w Ms. Esha V. Rane i/b Rajeev Sawant & Associates,
learned Advocates for the Applicants.

Applicant Nos. 1 & 2 are present in the Court and Applicant Nos. 3 & 4
are appearing through VC.

Mr. Sukanta A. Karmakar, learned A.P.P. for the State/Respondent.

Mr. Bharat Shinde, learned Advocate for Respondent No. 2.

Respondent No. 2 is present in the Court.

PSI Mr. A. A. Jagtap attached to Chitalsar Police Station, Thane is
present in the Court.

CORAM : ASHWIN D. BHOBE, J.

DATE : 12th FEBRUARY 2026.

P.C. :

1. Heard Ms. Sonal Parab, learned Advocate for the Applicants,
Mr. Sukanta Karmakar, learned A.P.P. for the State/Respondent and
Mr. Bharat Shinde, learned Advocate for Respondent No. 2.

2. This Criminal Application is preferred by the Applicants
under Section 482 of the Code of Criminal Procedure, 1973 (under
Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023), for
quashing of the First Information Report bearing No. 80 of 2022
dated 02.04.2022 registered with Chitalsar Manpada Police
Station, District-Thane City for the offences punishable under

Sections 498(A) & 406 read with Section 34 of the Indian Penal Code, 1860 and Section 3 of the Dowry Prohibition Act, 1961 and the charge-sheet bearing Regular Criminal Case No. 3801 of 2022 dated 12.12.2023 pending before the Judicial Magistrate First Class, 5th Joint Civil Judge, Junior Division at Thane, arising out of the said FIR.

3. Applicant Nos. 1 & 2 are present in the Court along with their Advocate Ms. Sonal Parab. Applicant Nos. 3 & 4 are appearing through Video Conferencing. Ms. Sonal Parab identifies all the Applicants and tenders the photostat copies of their Aadhar Cards and Passports, respectively as identity proof. Same are taken on record and marked as “**X Colly.**” for identification.

4. Respondent No. 2 is present along with his Advocate Mr. Bharat Shinde. Mr. Bharat Shinde tenders photostat copy of the Aadhar Card of Respondent No. 2 as identity proof. Same is taken on record and marked as “**X-1**” for identification.

5. Mr. Bharat Shinde tenders Affidavit dated 03.01.2026 affirmed by Respondent No. 2 before the Registry of this Court. Same is taken on record and marked as “**X-2**” for identification. Respondent No. 2, who is present in the Court, states that he has filed the said Affidavit (X-2) out of his own free will and without any pressure, force or coercion from any person. He states that the contents of Affidavit (X-2) are as per his say. He reiterates that the dispute between him and the Applicants is amicably resolved, as such he gives No Objection for quashing of the criminal proceedings.

6. Ms. Sonal Parab, learned Advocate for the Applicants and Mr. Bharat Shinde, learned Advocate for Respondent No. 2/Complainant jointly submit that the Applicants have amicably resolved the matrimonial dispute between them, Respondent No. 2 and Ankita Pamnani (wife of Petitioner No. 3). They submit that the settlement between them is recorded in the Consent Terms, which are at page nos. 53 to 74 of the paper-book. They further rely on an Agreement dated 12.10.2025 at page nos. 75 to 88, wherein Petitioner No. 3 & Ankita Pamnani have settled their matrimonial dispute. They submit that the marriage between Petitioner No. 3 & Ankita Pamnani is dissolved by way of a decree passed by the Superior Court of the State of California in and of the County of Santa Clara on 09.01.2026, as such Respondent No. 2 has given his No Objection for quashing of the criminal proceedings initiated at his instance. They therefore submit that the criminal proceedings against the Applicants be quashed.

7. Mr. Sukanta Karmakar, learned A.P.P. for the State/Respondent submits that in view of the statements made by Respondent No. 2 in the Affidavit (X-2), the documents placed on record include the Consent Terms and the Agreement between the Applicants, Respondent No. 2 and Ankita Pamnani, no purpose would be served by continuing with the criminal proceedings. He therefore submits that the impugned FIR and the criminal proceedings arising out of the impugned FIR can be quashed. He however submits that the police machinery was used by Respondent No. 2 and the Applicants to resolve a matrimonial dispute and therefore, insists for imposition of the costs.

8. Ms. Sonal Parab, learned Advocate for the Applicants on instructions from the Applicants, who are present in the Court as also appearing through Video Conference, states that they would pay appropriate amount as costs.

9. Considering the facts as placed before me, the nature of dispute, the matter being amicably settled between the Applicants and Respondent No. 2, the statements made on oath by Respondent No. 2 (Affidavit at X-2) and having regards to the pronouncements of the Hon'ble Supreme Court in the cases of *Gian Singh v/s. The State of Punjab and Another*¹, *Narinder Singh and Others v/s. State of Punjab and Another*² and *Parbatbhai Aahir Alias Parbatbhai Bhimsinbhai Karmur and Others Vs. State of Gujarat and Anr.*³, there is no impediment in allowing this Criminal Application.

10. In view of the above, Criminal Application is allowed in terms of prayer clause (b) subject to payment of cost of Rs. 1,00,000/- by the Applicants as condition precedent. Consequently, the FIR bearing No. 80 of 2022 dated 02.04.2022 registered with Chitalisar Manpada Police Station, District-Thane City for the offences punishable under Sections 498(A) & 406 read with Section 34 of the Indian Penal Code, 1860 and Section 3 of the Dowry Prohibition Act, 1961 and the subsequent charge-sheet bearing Regular Criminal Case No. 3801 of 2022 dated 12.12.2023 pending before the Judicial Magistrate First Class, 5th Joint Civil Judge, Junior Division at Thane, arising out of the said FIR, are quashed.

1. (2012)10 Supreme Court Cases 303.

2. (2014)6 Supreme Court Cases 466.

3. (2017) 9 SCC 641.

Criminal proceedings against the Applicants arising out of the impugned FIR and the charge-sheet are closed.

11. Applicants shall deposit cost of Rs. 1,00,000/- in the following two accounts (Rs. 50,000/- each) within a period of 2 weeks from today and furnish proof of deposit before the Registry of this Court by filing an Affidavit of compliance on or before 10.03.2026 :-

Bank Name	:	Axis Bank Limited
Branch Name	:	Worli, Mumbai (M.H.), Mumbai-400 025
Account Name	:	Central Police Welfare Fund, Director General MS, Mumbai
Account Number	:	914010029005759
IFSC Code	:	UTIB0000060

AND

Bank Name	:	ICICI Bank
Account Name	:	Deepstambh Foundation, Delhi
Account Number	:	697401700986
Account Type	:	Savings
IFSC Code	:	ICIC0006974
MICR Code	:	425229003

12. Ms. Sonal Parab, learned Advocate for the Applicants further states that Look Out Circular dated 13.06.2022 was issued against Applicant No. 3, which according to her is still open. She submits that in view of the criminal proceedings being quashed, the said LOC also be cancelled.

13. Mr. Sukanta Karmakar, learned A.P.P. for the State/Respondent on instructions from the Investigating Officer,

who is present in the Court, states that the said LOC would be withdrawn/revoked on or before 17.03.2026 and all the authorities concerned would be intimated of the said withdrawal/revocation. Statement accepted.

14. Criminal Application No. 1639 of 2025 is disposed of in the above said terms.

[ASHWIN D. BHOBE, J.]

GITALAXMI
KRISHNA
KOTAWADEKAR

Digitally signed by
GITALAXMI KRISHNA
KOTAWADEKAR
Date: 2026.02.13
21:14:21 +0530