

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 1641 OF 2025

Mohit Pandurang Jadhav. ... Applicant.

V/s.

The State of Maharashtra & Anr. ... Respondents.

Mr. Kamran Shaikh, Advocate for Applicants.
Ms. Prachita Vare, Advocate for Respondent No. 2.
Mr. Sukanta Karmakar, APP for Respondent/State.
PSI Dhananjay Gaikwad, Nayanagar Police Station.

CORAM : ASHWIN D. BHOBE, J.

DATE : 21st JANUARY, 2026.

P.C. :

1. By the present Applications under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the Applicant has sought for the following substantive relief in terms of prayer clause

(a):

“a. That the Consent terms filed by the Applicant and Respondent No.2 (Complainant/First Informant) be taken on record and perusing the same this Hon'ble Court be pleased to Quash and Set aside Chargesheet arising out of FIR No.452 of 2023 u/s 323, 498-A, 504 &

506 of the IPC was registered with Nayanagar Police Station resulting in Case No.RCC/719/2025 pending before the Ld 1^a Civil Judge Junior Division JMFC at Mira Bhayander.”

2. Respondent No. 2 (Mrs. Kiran Mohit Jadhav) appears through V.C. Ms. Prachita Vare, Advocate for the Respondent No. 2 identifies the Respondent No. 2 appearing through V.C. and tenders photostat copy of the identity card of Respondent No. 2, same is taken on record and marked “X” for identification. Applicant is present in the court and is identified by his Advocate Mr. Kamran Shaikh.

3. Mr. Kamran Shaikh and Ms. Prachita Vare, jointly submit that the Applicant and the Respondent No. 2 have amicably settled their matrimonial discord and have entered into consent terms dated 18th December, 2025 (at page Nos. 227 to 232 of the paper book).

4. Mr. Kamran Shaikh and Ms. Prachita Vare submit that the FIR filed by the Applicant herein is quashed by consent in Criminal Application No. 1653 of 2025 vide order dated 19th

January, 2026.

5. Ms. Prachita Vare tenders affidavit dated 22nd December, 2025 affirmed by the Respondent No. 2 before the Notary Mrs. Aliya N. Pathan, same is taken on record and marked “X-1” for identification. Respondent No. 2 states that she has filed the affidavit (“X-1”) out of her own free will and without any pressure from any person. She submits that the contents of the affidavit (“X-1”) are as per her say. She submits that in view of the amicable settlement with the Applicant, she does not intend to continue with the criminal proceedings.

6. Mr. Sukanta Karmakar, learned APP for the State submits that no purpose would be served in continuing with the criminal proceedings in view of the statements made by the Respondent No. 2 in her affidavit (“X-1”).

7. Considering the statements made by the Applicant and Respondent No. 2 as also the statements made by Respondent No. 2 in her affidavit (“X-1”) and having regards to the judicial

pronouncements in the case of Gian Singh v. State of Punjab¹ and Narinder Singh & ors v. State of Madhya Pradesh² and in Parbatbhai Aahir Alias Parbatbhai Bhimsinbhai Karmur and Others Vs. State of Gujarat and Anr.((2017) 9 SCC 641), there is no impediment to allow this Petition.

8. Criminal Application No. 1641 of 2025 is allowed in terms of prayer clause (a). Consequently, FIR No.452 of 2023 registered with Nayanagar Police Station and the Charge sheet bearing Case No. RCC/719/2025 pending before the Ld 1^a Civil Judge Junior Division JMFC at Mira Bhayander are quashed. No order as to costs.

(ASHWIN D. BHOBE, J.)

1.(2012) 10 SCC 303
2.2025 SCC Online SC 466