

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 399 OF 2026

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Nikhil Kishor Sansare

... Petitioner

V/s.

State of Maharashtra and Anr.

... Respondents.

Mr. Vaibhav P. Punkekar a/w. Ms. Naseema F. Shaikh a/w. Mr.
Kunal Patil a/w. Ms. Asma Shaikh, Advocates for the Petitioner.

Mr. Prasanna P. Malshe, APP for the State- Respondent No.1.

Ms. Divya Parab a/w. Ms. Sana Mujawar, Advocate for Respondent
No.2.

CORAM : ASHWIN D. BHOBE, J.

DATE : 28th JANUARY, 2026

P.C. :

1. This Petition under Article 226 of the Constitution of India and under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is preferred against the FIR bearing C.R. No. 348 of 2017 registered with Ghatkopar Police Station and the chargesheet registered as Sessions Case No. 169 of 2018 pending

before the Sessions Court, Court No. 41, Greater Mumbai.

2. Petitioner is present in Court with Advocate Mr. Vaibhav Punkekar. Respondent No.2 is present in Court along with her Advocate Ms. Divya Parab.

3. Mr. Vaibhav Punkekar, learned Advocate for the Petitioner and Ms. Divya Parab, learned Advocate for Respondent No.2 jointly submit that the Petitioner and Respondent No.2 have resolved their dispute. They submit that Respondent No.2 is now married and is settled in life. They submit that in view of the Petitioner and Respondent No.2 moving ahead in life, Respondent No.2 does not intend to continue with the criminal proceedings and, therefore, she has no objection for quashing of the criminal proceedings registered on the basis of her complaint.

4. Ms Divya Parab, tenders Affidavit dated 28/01/2026 affirmed by her before the Notary Aliya N. Pathan, Greater Mumbai along with photostat copies of the identity cards of the Petitioner and Respondent No.2, same are taken on record and marked "X" Collectively for identification.

5. Respondent No.2, who is present in Court states that

the Affidavit ("X" collectively) is filed out of her own free will and without any force from any person. She states that the contents of the Affidavit ("X" collectively) are as per her say. She states that she having now settled in life and having married on 13/05/2022 is residing peacefully with her husband as such she does not wish to carry on with the criminal proceedings. She states that she wants to continue her life with dignity and peace.

6. Mr. Prasanna Malshe, learned APP for the State submits that in view of the Affidavit ("X" collectively), no purpose would be served in continuing the criminal proceedings against the Petitioner. He submits that Respondent No.2, having now married and the statements made by her in the Affidavit ("X" collectively) the FIR and the chargesheet can be quashed. He, however, insists for costs to be paid by the parties.

7. Mr. Vaibhav Punkekar, and Ms. Divya Parab, on instructions from Petitioner and Respondent No.2 jointly submit that they shall pay an amount of Rs.10,000/- each as cost.

8. They on instructions state that the cost will be deposited within 10 days from today in the following account:

Name : Central Police Welfare Fund, M.S.,
Bank Name : Axis Bank
Branch : Worli, Mumbai.
Account No. :9140100029005759
IFSC Code : UTIB000060.

9. In view of the abovesaid circumstances, the Petitioner and Respondent No.2 having resolved the dispute, Respondent No.2 now settled in life, she being married and residing with her husband, the statements made by her in her Affidavit ("X" collectively), having regards to the pronouncement of the Hon'ble Supreme Court in the cases of **Gian Singh vs. State of Punjab¹**, **Narinder Singh & Ors. vs. State of Punjab and Anr.²**, **Sandeep Singh Thakur vs. Stae of Madhya Pradesh and Anr.³**, there is no impediment for allowing the present Petition.

10. This Petition is therefore allowed in terms of prayer clause (a) subject to payment of Rs.10,000/-each by Petitioner and Respondent No. 2 as cost. Consequently, the FIR bearing C.R.No. 348 of 2017 registered with Ghatkopar Police Station and the chargesheet registered as Sessions Case No. 169 of 2018 which is pending before the Sessions Court, Court

1 (2012) 10 SCC 303.

2 (2014)6 SCC 466.

3 2025 SCC OnLine SC 2927.

No. 41, Greater Mumbai are quashed.

11. Writ Petition No. 399 of 2026 is disposed of in the aforesaid terms.

12. List this matter for compliance on **16/02/2026**.

(ASHWIN D. BHOBE, J.)