

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 513 OF 2026

A Praneet Kumar & Ors. ... Petitioners

Versus.

The State of Maharashtra & Anr. ... Respondents

Mr. Chinmay Patil a/w Mr. Amit Pardeshi & Mr. S. Siddique,
Advocates for Petitioners.

Ms. Sukruti Srivastava, Advocate for Respondent No. 2.

Mr. Tanveer Khan, APP for Respondent - State.

CORAM : ASHWIN D. BHOBE, J.

DATE : 9th MARCH, 2026

P.C. :

1. Heard Mr. Chinmay Patil, learned Advocate for the
Petitioners, Mr. Tanveer Khan, learned APP for the Respondent –
State and Ms. Sukruti Srivastava, learned Advocate for Respondent
No. 2.

2. This petition under Article 226 of the Constitution of
India and Section 528 of the Bhartiya Nagarik Suraksha Sanhita,
2023, is filed by the Petitioners seeking to quash the FIR bearing

No. 0206 of 2025 dated 17th May, 2025 (impugned FIR), registered with Kharghar Police Station for offences punishable under Sections 115(2), 351(2), 352, 64, 74, 85, 88 of the BNS, and the charge sheet bearing RCC No. 1563 of 2025 pending before the JMFC Court Pune, arising out of the impugned FIR.

3. The Petitioners are present in Court and are identified by their Advocate Mr. Chinmay Patil. He tenders the Photostat copy of the Identity Card of the Petitioners, which is taken on record and marked as '**X colly**' for identification.

4. Respondent No. 2 is present in Court is identified by her Advocate Ms. Sukruti Srivastava. She tenders the Photostat copy of the Identity Card of Respondent No. 2, which is taken on record and marked as '**X-1**' for identification.

5. Ms Sukruti Srivastava states that the Affidavit dated 5th February, 2026, affirmed by Respondent No. 2 before the Notary Mrs Snehal Sawant, is placed on record, same is marked as '**X-2**' for identification. The consent decree passed in Petition F No. 1237 of 2025 dated 23rd February, 2026 is also placed on record, same is

marked as 'X-3' for identification. Respondent No. 2, who is present in the Court, states that she has filed the said Affidavit (X-2) out of her own free will and without any pressure, force or coercion from any person. She states that the contents of Affidavit (X-2) are as per her say.

6. Mr. Chinmay Patil, learned Advocate for the Petitioners, and Ms. Sukruti Srivastava, learned Advocate for Respondent No. 2, state that the subject matter of the impugned FIR concerns a matrimonial dispute between Petitioner No. 1 (Husband) and Respondent No. 2 (Wife). They state that Petitioner No. 1 was married to Respondent No. 2 on December 15, 2023. They mention that the allegations made by Respondent No. 2 about being raped date from the year 2024, i.e., during their marriage. They further state that Petitioner No. 1 and Respondent No. 2 approached the Family Court, Pune, seeking mutual divorce under Section 13(B) of the Hindu Marriage Act, 1955, which was granted by the Family Court through Judgment and Decree dated February 23, 2026. They submit that since Petitioner No. 1 and Respondent No. 2 are judicially separated, Respondent No. 2 does

not object to quashing the impugned FIR and charge sheet.

7. Mr. Tanveer Khan, learned APP submits that the matrimonial dispute between the Petitioner No. 1 and Respondent No. 2 being settled and they being separated by a judicial decree passed by the Family Court and the statements made by Respondent No. 2 in the affidavit 'X-3' and the statement made by Respondent No. 2 in the affidavit 'X-3', he has not objection for quashing of the impugned FIR and the charge-sheet. He, however, insists on imposing on the Petitioners.

8. Considering the aforesaid facts and the submissions of the learned Advocate for the parties, the matrimonial dispute between the Petitioner No. 1 and Respondent No. 2 being resolved, they being separated by decree of divorce and the statements made by Respondent No. 2 in her affidavit 'X-2', no purpose would be served in continuing with the criminal proceedings. Having regard to the pronouncements of the Hon'ble Supreme Court in the case of Gian Singh Vs. State Of Punjab¹, Narinder Singh And

¹ 2012 10 SCC 303

Ors Vs. State Of Punjab And Anr², Parbatbhai Aahir @ Parbatbhai Vs. The State Of Gujarat³, there is no impediment in allowing this Petition.

9. In view of the above, the Criminal Petition is allowed as per prayer clause (a), provided that the Petitioner pays Rs. 25,000/- in costs as a precondition. Accordingly, the impugned FIR and the charge-sheet arising from it are quashed.

10. The Petitioners shall deposit costs of Rs. 25,000/- into the accounts listed below within two weeks from today, and shall file the compliance affidavit along with proof of deposit in the Registry of this Court on or before 25th March, 2026:-

Central Police Welfare Fund

Account No: 914010029005759

Bank : Axis Bank Limited

Branch : Worli, Mumbai (M.H.), Mumbai - 400 025

IFSC Code: UTIB0000060

15. Criminal Writ Petition No. 513 of 2026 is disposed.

(ASHWIN D. BHOBE, J.)

² 2014 6 SCC 466

³ 2017 9 SCC 641