

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 734 OF 2026**

Swapnil Satish Pangarkar And Ors.

...Petitioners

V/s.

State Of Maharashtra And Anr.

... Respondents

Dr. Chinmay Bhosale i/b Chinmayee Kulkarni, for the Petitioners.
Petitioner Nos. 1, 2, 4 and 5, appearing through VC and Petitioner
No. 3, is present in Court.

Arif Hussain, for the Respondent No.2.

Respondent No.2 is present in Court.

Mr. Tanveer Khan, APP for the Respondent – State.

CORAM : ASHWIN D. BHOBE, J.

DATE : 20th FEBRUARY, 2026.

P.C. :

1. This proceeding is recorded in accordance with the decision of this Court in Hema Suresh Ahuja & Ors. v. State of Maharashtra & Anr.,¹ as the subject matter pertains to offence under SC/ST Act.

2. At the outset, Dr. Chinmay Bhosale, learned Advocate for the Petitioners craves leave to amend the prayer clause of the Petition to add the details of the impugned FIR which are lacking

¹ 2024 SCC OnLine Bom 784

in the prayer clause. Request made by Mr. Chinmay Bhosale, not objected to by Mr. Arif Hussai, learned Advocate for Respondent No.2 and Mr. Tanveer Khan, learned APP. Leave granted. Amendment to be carried out forthwith.

3. Heard Dr. Chinmay Bhosale, learned Advocate for the Petitioners, Mr. Tanveer Khan, learned APP for the Respondent - State and Mr. Arif Hussain, learned Advocate for Respondent No.2.

4. This Petition under Article 226 of the Constitution of India and under Section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 is preferred by the Petitioners for quashing the FIR bearing No. 364 dated 22nd September, 2020 registered with Udgir Police Station for the offences punishable under Sections 498A, 323, 504, 506 r/w. 34 of the Indian Penal Code, 1860 and Sections 3(1)(a), 3(1)(s), 3(1)(r), 3(1)(z) and 3(1)(xii) of Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and chargesheet registered as Special Case No. 334 of 2020, pending before the Sessions Court, Pune.

5. Petitioner No. 3 is present in Court and Petitioner Nos. 1, 2,

4 and 5 appear through VC. Petitioners are identified by their Advocate Dr. Chinmay Bhosale. He tenders the Photostat copies of the Identity Cards of (5 Nos) the Petitioners, which are taken on record and marked as “X” for identification.

6. Respondent No.2 is present in the Court and is identified by her Advocate Mr. Arif Hussain. He tenders the Photostat copy of Identity Card of Respondent No.2, which is taken on record and marked as “X-1” for identification.

7. Dr. Chinmay Bhosale and Mr Arif Hussain, submit that the matrimonial disharmony amongst the Petitioners and the Respondent No.2 which resulted in the Respondent No.2 filing the criminal proceedings, is amicably resolved. They submit that Petitioner No. 1 (Husband) and Respondent No. 2 (Wife) have amicably resolved their dispute. They submit that the Petitioner No.1 and Respondent No. 2 have decided to part ways and they have filed matrimonial petition bearing No. 740 of 2022 before the 3rd Family Court at Pune, seeking divorce by mutual consent. They submit that the Respondent No.2 has no objection for quashing of

the criminal proceedings filed against the Petitioners.

8. Mr. Arif Hussain states that the Affidavit dated 20th February, 2026 affirmed by Respondent No.2 before the Notary A. R. Surve is placed on record. Same is marked as “X-2” for identification.

9. Respondent No. 2 states that the said Affidavit (X-2) is filed out of her own free will and without any pressure or coercion from any person. She states that the contents of the Affidavit (X-2) are as per her say. She reiterates her no objection for quashing of the criminal proceedings.

10. Mr. Tanveer Khan, learned App for the Respondent – State, submits that the matrimonial dispute between the Petitioners and the Respondent No.2 having been resolved, no purpose would be served in continuing with the criminal proceedings. He submits that the impugned FIR and chargesheet can be quashed. However, he insists for imposition of cost as the Petitioners and the Respondent No.2 have utilized the police machinery to resolve a matrimonial dispute.

11. Dr. Chinmay Bhosale and Mr. Arif Hussain, on instructions from the Petitioners and the Respondent No.2, submit that the Petitioners and Respondent No.2 shall deposit appropriate costs.

12. Considering the aforesaid circumstances, the nature of dispute, the matter being settled between the Petitioners and the Respondent No.2, the statement of Respondent No. 2 in the Affidavit (X-2) and having regards to the pronouncements of the Hon'ble Supreme Court in the case of *Gian Singh vs State Of Punjab*², *Narinder Singh And Ors vs State Of Punjab And Anr*³ and *Parbatbhai Aahir @ Parbatbhai vs The State Of Gujarat*⁴, there is no impediment in allowing this Petition.

13. In view of the above, Criminal Writ Petition No. 734 of 2026 is allowed in terms of prayer clause (a) subject to payment of costs of Rs. 50,000/- as condition precedent. Consequently, the impugned FIR bearing No. 364 dated 22nd September, 2020 registered with the Udgir Police Station and the Chargesheet registered as Special Case No. 334 of 2020, pending before the

2 2012 10 SCC 303

3 2014 6 SCC 466

4 2017 9 SCC 641

Sessions Court, Pune are quashed. Criminal proceedings against the Petitioners are closed.

14. The Petitioners shall deposit cost of Rs. 25,000/- in the below mentioned Account of the High Court Employees Medical Welfare Fund at Mumbai within a period of two weeks from today

The High Court Employees Medical Welfare Fund at Mumbai	
Account No. :	000120110001337
Bank:	Bank of India
Branch:	Mumbai Main
IFSC Code:	BKID0000001

15. The Respondent No.2 shall deposit a cost of Rs. 25,000/- in the below mentioned Account of the Central Police Welfare Fund within a period of two weeks from today.

Central Police Welfare Fund

Account No. :	914010029005759
Bank:	Axis Bank Limited
Branch:	Worli, Mumbai (M.H.), Mumbai - 400 025
IFSC Code:	UTIB0000060

16. The compliance affidavit along with the proof of deposit be filed in the Registry of this Court on or before 10th March, 2026

17. Writ Petition No. 734 of 2026 is allowed in above-said terms.

(ASHWIN D. BHOBE, J.)

Digitally
signed by
ARJUN
KRISHNA
RODGE
Date:
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