

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 1964 OF 2025**

Yash Santosh Kawale	... Petitioner
V/S.	
The State Of Maharashtra And Anr.	... Respondents

**WITH
WRIT PETITION NO. 831 OF 2026**

Shreeraj Santosh Kawale And Ors.	... Petitioners
V/S.	
The State Of Maharashtra And Anr.	... Respondents

Mr. Umesh Iyer a/w Chetan Yadav, learned Advocates for the Petitioners.

Petitioner No. 1 in Writ Petition No. 1964 of 2025 is present through VC.

Petitioner No. 1 and 4 in Writ Petition No. 831 of 2026 are present through VC.

Petitioner No. 2 and 3 in Writ Petition No. 831 of 2026 are present in Court.

Ms. Sakshi Patil, learned Advocate for the Respondent No.2 in Writ Petition No. 1964 of 2025 and Writ Petition No. 831 of 2025.

Respondent No. 2 is present in Court.

Ms. Pallavi Dabholkar, learned APP for the Respondent – State.

API S. A Patil, Bharti Vidyapeeth Police Station, Pune, is present.

CORAM : ASHWIN D. BHOBE, J.

DATE : 7th March, 2026.

P.C. :

1. Mr. Umesh Iyer, learned Advocate for the Petitioners in Writ Petition No. 1964 of 2025 and Writ Petition No. 831 of 2026 and Ms. Sakshi Patil, learned Advocate for the Respondent No. 2 in the above referred two Petitions, submit that the subject matter of these two Writ Petitions pertains to the same FIR bearing No. 683 of 2023, as such, they request for taking up both these Writ Petitions together and disposing of the same by a common order. Ms. Pallavi Dabholkar, learned APP does not object to the said request made by the learned Advocates for the parties. In view of the request made by the learned Advocates for the parties, both these Writ Petitions are taken up together for disposal.

2. Heard Mr. Umesh Iyer, learned Advocate for the Petitioners, Ms. Pallavi Dabholkar, learned APP for the Respondent – State, Ms. Sakshi Patil, learned Advocate for the Respondent No. 2, in both these Petitions.

3. Mr. Umesh Iyer and Ms. Sakshi Patil submit that the

Petitioner in Writ Petition No. 1964 of 2025 is the Brother in law of the Respondent No. 2. Petitioner Nos. 1, 2, 3, 4 in Writ Petition No. 831 of 2026 are the Husband, Father in law, Mother in law and Grandmother in law of the Respondent No. 2, respectively.

4. These Petitions under Article 226 of the Constitution of India and 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 are preferred by the Petitioners for quashing of the FIR dated 19th October, 2023 bearing No. 683 of 2023 (impugned FIR) registered with Bharti Vidyapeeth Police Station, Pune, for offences punishable under Section 498-A, 354-A, 420, 323, 504, 506 of the Indian Penal Code, 1860.

5. Petitioner Nos. 2 and 3 in Writ Petition Nos. 831 of 2026 are present in Court. Petitioner No. 1 (Husband) and Petitioner No. 4 (Grandmother in law) in Writ Petition No. 831 of 2026 and the Petitioner No. 1 (Brother in law) in Writ Petition No. 1964 of 2025 are present through VC. All the Petitioners are identified by their Advocate Mr. Umesh Iyer. He tenders photostat copies of the Identity Cards (4 nos.) of the Petitioners. Photostat copies (4 nos) of Petitioners in Writ Petition No. 831 of 2026 are taken on record

and marked **“X-Colly”** for identification. Photostat copy of Petitioner in Writ Petition No. 1964 of 2025 is taken on record and marked **“X”** for identification.

6. Respondent No. 2 in both these Writ Petitions is present in Court and is identified by her Advocate Ms. Sakshi Patil. She tenders the photostat copy of the Identity Card of Respondent No. 2, which is taken on record and marked **“X-1”** in both these Petitions for identification.

7. Ms. Sakshi Patil, states that the Affidavits dated 27th February, 2026 affirmed by the Respondent No. 2 before the Notary T. M. Patil is placed on record of both these Petitions. Same are marked as **“X-2”** for identification in both these Writ Petitions.

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

9. Mr. Umesh Iyer and Ms. Sakshi Patil, learned Advocates submit that the subject matter of the impugned FIR pertains to a matrimonial dispute between the Petitioner No. 1 (Husband) in Writ Petition No. 831 of 2026 and Respondent No. 2 (Wife). They submit that the matrimonial dispute between the Petitioner No. 1 and Respondent No. 2, in Writ Petition No. 831 of 2026 is settled. They submit that Petitioner No. 1 and Respondent No. 2 have decided to part ways. They submit that the Respondent No. 2 has given her no objection for quashing of the impugned FIR. They therefore request for quashing of the impugned FIR.

10. Mr. Sukanta Karmakar, learned APP, submits that the matrimonial dispute between the Petitioner No. 1 and Respondent No. 2 in Writ Petition No. 831 of 2026 was given a criminal flavor by Respondent No. 2, to settle a private score with the Petitioners. He however submits that the parties having amicably resolved the matrimonial dispute and the Respondent No. 2 having given no objection to quash the impugned FIR in both these Petitions in her Affidavits at (X-2), he submits that the impugned FIR can be quashed. He however insists for imposition of cost.

11. Mr. Umesh Iyer and Ms. Sakshi Patil on instructions from the Petitioners and the Respondent No. 2 in both these Petitions, submit that appropriate cost would be paid.

12. Considering the above said facts, the submissions of the learned Advocate for the parties, the nature of dispute, the matter being settled between the Petitioners and the Respondent No. 2 in both these Petitions, the statement of Respondent No. 2 in the Affidavits (X-2), no useful purpose will be served by allowing the criminal prosecution to continue. Having regards to the pronouncements of the Hon'ble Supreme Court in the case of *Gian Singh vs State Of Punjab*¹, *Narinder Singh And Ors vs State Of Punjab And Anr*² and *Parbatbhai Aahir @ Parbatbhai vs The State Of Gujarat*³ there is no impediment in allowing this Petition.

13. In view of the above, Criminal Writ Petition No. 831 of 2026 is allowed in terms of prayer clause (b) and Criminal Writ Petition No. 1964 of 2025 is allowed in terms of prayer clause (a) subject to payment of costs of Rs. 50,000/- as a condition precedent. Consequently, the impugned FIR bearing No. 683 of

1 2012 10 SCC 303

2 2014 6 SCC 466

3 2017 9 SCC 641

2023 dated 19th October, 2023 registered with Bharti Vidyapeeth Police Station, is quashed.

14. The Petitioners in Writ Petition No. 831 of 2026 and Writ Petition No. 1964 of 2025 shall jointly deposit a cost of Rs. 25,000/- in the below mentioned Account of Pune City Police Welfare Fund within a period of two weeks from today.

Pune City Police Welfare Fund	
Bank Name :	State Bank Of India
Account No.:	11099462244
Branch Name :	Treasury Branch, Pune
IFSC Code:-	SBIN0001904

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

Pune City Police Welfare Fund

Bank Name :	State Bank Of India
Account No.:	11099462244
Branch Name :	Treasury Branch, Pune
IFSC Code:-	SBIN0001904

16. The compliance affidavit along with the proof of deposit be filed in the Registry of this Court on or before 30th March, 2026.

17. Writ Petition No. 831 of 2026 and Writ Petition No. 1964 of 2025 is allowed in above-said terms.

(ASHWIN D. BHOBE, J.)

ARJUN
KRISHNA
RODGE

Digitally signed
by ARJUN
KRISHNA
RODGE
Date:
2026.03.17
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