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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO.1321 OF 2026

Khalid Salim Noorani and ors. : Petitioners.
Versus.
State of Maharashtra and anr. : Respondents.

Mr. Ganesh Bhujbal a/w Adv. Tushar Nikam and Baburav Shinde for the Petitioners.

Ms. Pallavi Dabholkar, APP for the Respondent/State

Mr. R A Shaikh a/w Mr. Abdul Rehman Khan for the Respondent No.2.

PSI Pravin kadam, Nagpada Police Station, present.

CORAM : ASHWIN D. BHOBE, J.

DATED : 25 March 2026

PC:-

1. Heard Mr. Ganesh Bhujbal, learned Advocate for the Petitioners, Ms. Pallavi Dabholkar, learned APP for the Respondent/State and Mr. R. A. Shaikh, 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 to quash the FIR bearing M.E.C.R. No.01 of 2018 (impugned FIR) registered

with Nagpada Police Station and the charge sheet arising from the impugned FIR.

3. Advocate Mr. Ganesh Bhujbal and Advocate Mr. R. A. Shaikh submit that the dispute, which is the subject matter of the impugned FIR, concerns matrimonial discord between Petitioner No.1 (husband) and Respondent No.2 (wife). They submit that the matrimonial dispute between Petitioner No.1 and Respondent No.2 has been amicably resolved between the parties. They submit that Petitioner No.1 and Respondent No.2 filed proceedings for divorce before the Family Court, Bandra, and that Petitioner No.1 and Respondent No.2 have been separated following a divorce granted by the Family Court, Bandra, on 19 January 2026. They submit that, in light of the settlement of the entire matrimonial dispute, Respondent No.2 does not intend to continue with the criminal proceedings and has expressed no objection in this regard through an Affidavit dated 24 March 2026. Accordingly, they request that the impugned FIR and the criminal proceedings commenced at the instance of Respondent No. 2 be quashed.

4. The Petitioners are present in court and are identified by their Advocate Mr. Ganesh Bhujbal. He submits the Photostat copies of the Petitioners' Identity Cards, which are taken on record and marked as "X-Colly" for identification.

5. Respondent No.2 is present in court and is identified by her advocate, Mr. R. A. Shaikh. He submits the photostat copy

of the Identity card of Respondent No. 2, which is taken on record and marked as “X-1” for identification.

6. Mr. R.A. Shaikh, learned Advocate for Respondent No. 2, states that the Affidavit dated 24 March 2026, affirmed by Respondent No. 2 before the Notary Mohd. Muquim Khan is placed on record, same is marked as “X-2” for identification.

7. Respondent No. 2 states that the said Affidavit (X-2) is filed of her own free will and without any pressure or coercion from anyone. She states that the contents of the Affidavit (X-2) reflect her own statements. She reaffirms her no objection to quashing the criminal proceedings. Respondent No. 2 states that she is not interested in continuing with the criminal proceedings and wishes to end them.

8. Ms. Pallavi Dabholkar, learned APP for the Respondent/State, submits that the matrimonial dispute between Petitioner No.1 and Respondent No.2, being amicably settled, with Respondent No.2 separated from Petitioner No.1 and based on the statements made by Respondent No.2 in her Affidavit (X-2), she has no objection to quashing the impugned FIR and the criminal proceedings. However, she states that, since the police machinery was used by the Petitioners and Respondent No. 2 to settle the matrimonial dispute, costs be imposed on them.

9. Mr Ganesh Bhujbal and Mr R. A. Shaikh, on instructions from the Petitioners and the Respondent No.2, state that they will deposit the appropriate costs.

10. Considering the facts mentioned above, the submissions of the learned Advocates for the parties, the nature of the dispute being matrimonial disharmony, the matter settled before the Family Court, and the statements made by Respondent No. 2 in the Affidavit (X-2), no useful purpose will be served by continuing the criminal prosecution. Having regard to the pronouncements of the Hon'ble Supreme Court in *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 Writ Petition.

11. In view of the above, Criminal Writ Petition No.1321 of 2026 is allowed in terms of prayer clause (a), subject to payment of costs of Rs. 50,000/- by the Petitioners and Rs. 10,000/- by the Respondent No.2. Payment of costs is a condition precedent. Consequently, the impugned FIR and the Charge-sheet arising out of the impugned FIR are quashed.

12. The Petitioners and Respondent No.2 shall deposit their respective costs into the accounts specified below within three weeks from today and file a compliance affidavit along with

¹ 2012 10 SCC 303

² 2014 6 SCC 466

³ 2017 9 SCC 641

proof of deposit in the Court's Registry on or before 17 April 2026.

a] The Petitioners shall deposit the amount of Rs.50,000/- in :-

Account Name : **Armed Forces Battle Casualties Welfare Fund**

Account Number : 90552010165915

Bank Name : Canara Bank

Branch : South Block, Defence Headquarters New Delhi-
110011

IFSC Code : CNRB0019055

b] The Respondent No.2 shall deposit the amount of Rs.10,000/- in :-

The High Court Employees Medical Welfare Fund at Mumbai

Account No.: 000120110001337

Bank : Bank of India

Branch : Mumbai Main

IFSC Code : BKID0000001

13. The Criminal Writ Petition No.1321 of 2026 is disposed of.

(ASHWIN D. BHOBE, J.)