

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

CRIMINAL WRIT PETITION NO.1675 OF 2026

Mr. Amit Bhagwan Bali and ors. : Petitioners.

Versus.

Mrs. Vijayalaxmi Amit Bali and ors.

Mr. Azharuddin Khan i/by Mr. Komal Jadhav for the
Petitioners.

Mr. V B Konde Deshmukh APP for the Respondent/State.

Mr. Sohil Gulabani for Respondent No.1 to 3.

CORAM : ASHWIN D. BHOBE, J.

DATED : 15 APRIL 2026

PC:-

1. This Petition was circulated in view of the urgency expressed in the praecipe dated 15 April 2026. The praecipe is taken on record and marked "A" for identification. Upon mentioning, this Petition is taken on the "production list".

2. Heard Mr. Azharuddin Khan, learned Advocate for the Petitioners, Mr. V B Konde-Deshmukh, APP for the Respondent/State and Mr. Sohil Gulabani, learned Advocate for the Respondent Nos. 1 to 3.

3. This Petition under Article 226 of the Constitution of India and Section 528 of the Bharatiya Nagarik Suraksha

Sanhita, 2023, is filed by the Petitioners for quashing FIR No. 367 OF 2019 dated 07 May 2019 registered with Chikhali Police Station (impugned FIR) for offences punishable under Sections 498A, 323, 504 and 506 r/w 34 of the Indian Penal Code and for quashing the charge-sheet arising out of the impugned FIR.

4. Mr. Azharuddin Khan, learned Advocate for the Petitioners and Mr. Sohil Gulabani, learned Advocate for the Respondent Nos. 1 to 3, submit that the subject matter of the impugned FIR and the charge-sheet is a matrimonial dispute between Petitioner No.1 (husband) and Respondent No.1 (wife). They submit that in view of the matrimonial disharmony, Respondent No.1 had filed several proceedings, including those under the Protection of Women from Domestic Violence Act, 2005, which proceedings were the subject matter of Criminal Writ Petition No.605 of 2025. They submit that, during pendency of Writ Petition No.605 of 2025, the parties entered into an amicable settlement by executing Consent Terms dated 01 October 2025. They submit that clause 14(g) of the Consent Terms refers to the no-objection of the quashing of the impugned FIR. They submit that the order dated 15 October 2025, along with the Consent Terms dated 01 October 2025 is placed on record as Exhibit B (pages 21 to 36 of the Petition paper book). They submit that Respondent No.1 has given her no objection by her Affidavit dated 07 April 2026. They submit that, in view of the settlement between the parties, Respondent No.1 does not

want to continue with the criminal proceedings and as such, they request the quashing of the impugned FIR and the charge-sheet arising out of the impugned FIR.

5. The Petitioner No. 1 appears through V.C. Petitioner Nos. 2 to 8 are present in Court. The Petitioners are identified by their Advocate, Mr. Azharuddin Khan. He tenders the photostat copies of the Petitioners' Identity Cards, which are taken on record and marked as "**X-Colly**" for identification.

6. Respondent No.1 is present in the Court and is identified by her Advocate Mr. Sohil Gulabani. He tenders a photostat copy of Respondent No.1's Identity Card, which is taken on record and marked as "**X-1**" for identification.

7. Mr. Sohil Gulabani, learned Advocate for the Respondent Nos. 1 to 3, states that the Affidavit dated 07 April 2026, affirmed by Respondent No. 1 before the Notary R Sambath, Tirupur, is placed on record and marked as "**X-2**" for identification.

8. Respondent No. 1, who is present in Court, states that the Affidavit (X-2) is filed 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 true and as per her say. She states that she and the Petitioners have settled the dispute under the Consent Terms dated 01 October 2025 and that all terms have been complied with and satisfied. She states that she has decided to separate herself, along with her minor

children, from the Petitioner No.1. She states that she is not interested in continuing the criminal proceedings and wishes to end them. She states that she and the Petitioner No.1 are in the process of converting the Marriage Petition No.684 of 2020, pending before the Civil Judge Senior Division, Pune, into proceedings for divorce by mutual consent. She reiterates her no objection to the quashing of the criminal proceedings.

9. Mr. V B Konde-Deshmukh, learned APP for the Respondent/State, submits that since the matrimonial dispute between the Petitioner No.1 and the Respondent No.1 has been resolved and the Respondent No.1 having given her no objection in the Affidavit (X-2), he does not object to the quashing of the impugned FIR and the charge-sheet arising out of it. However, she insists on imposing costs on the Petitioners as well as the Respondent No.1.

10. Mr. Azharuddin Khan, learned Advocate for the Petitioners and Mr. Sohil Gulabani, learned Advocate for the Respondent Nos. 1 to 3, on instructions, submit that appropriate costs would be paid.

11. Considering the facts mentioned above, the submissions of the learned Advocates for the parties, the statements made by Respondent No.1 before this Court and in her affidavit (X-2), further the matrimonial dispute settled by Petitioner No.1 and Respondent No.1 before this Court in Writ Petition No.605 of 2025, as recorded in the order dated 15 October 2025, no useful purpose will be served by allowing the

criminal prosecution to continue. 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.

12. In view of the above, this Writ is allowed in terms of prayer clause (a), subject to each of the Petitioners paying costs of Rs. 25,000/- and the Respondent No.1 paying costs of Rs. 25,000/-. Payment of costs is a condition precedent. Consequently, the impugned FIR and the Charge-sheet arising out of the impugned FIR are quashed.

13. The Petitioners and the Respondent No. 1 shall deposit their respective costs in the account mentioned below within two (2) weeks from today and file the compliance affidavit, along with proof of deposit, in the Registry of this Court on or before 04 May 2026.

14. Each of the Petitioners shall deposit Rs. 25,000/- and the Respondent No.1 shall deposit Rs. 25,000/- in:-

High Court Law Library

Bank : State Bank of India
Branch : Mumbai Main Branch
Account No.: 10996686636

IFS Code : SBIN0000300

¹ 2012 10 SCC 303

² 2014 6 SCC 466

³ 2017 9 SCC 641

15. The Writ Petition No.1675 of 2026 is disposed of.

(ASHWIN D. BHOBE, J.)