

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 96 OF 2026

Mahesh Lalbahadur Gupta And Ors.	...Applicants
<i>Versus</i>	
The State Of Maharashtra And Anr.	...Respondents

Ms. Nazneen Contractor , for the Applicants.
Mr. Prathamesh Vhanmane i/b AVC and Associates , for the
Respondent No. 2.
Ms. P. N. Dabholkar, APP for the Respondent – State.
API. Madhavi Kadav, Kandivali Police Station is present.

CORAM: ASHWIN D. BHOBE, J.

DATED: 27th JANUARY, 2026.

PC:-

1. This Application filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 is preferred against the FIR bearing No. 818 of 2025 registered with Kandivali Police Station, against the Applicants for the offenses punishable under Section 115(2), 352, 316(2) and 85 of Bhartiya Nyaya Sanhita, 2023.
2. Applicants are present in the Court along with their Advocate Ms. Nazneen Contractor. Respondent No. 2 is present in Court along with her Advocate Mr. Prathamesh Vhanmane.

3. Ms. Nazneen Contractor and Mr. Prathamesh Vhanmane jointly submit that the matrimonial dispute between the Applicants and the Respondent No. 2 is amicably settled before the Family Court at Bandra, Mumbai in Petition No. 1 A- 1055 of 2025. They submit that by filing consent terms dated 2nd January, 2026, which were executed before the Marriage Counsellor, Family Court, Mumbai, which are produced on record at page 25 to 29 of the paper book. They submit that in view of the settlement, the Respondent No. 2 has filed Affidavit of no objection affirmed by her before Notary Jagdish Tryambakrao Dongardive, Kandivali on 12th January, 2026, which is placed on record at page Nos. 30 to 35. Said Affidavit is marked 'X' for identification. They submit that the Respondent No. 2 in Paragraph Nos. (F) to (M) of the affidavit (X) has stated that she has no objection for quashing of the present complaint.

4. Respondent No. 2 (Mrs. Priyanka Mahesh Gupta alias Mrs. Priyanka Shivnath Gupta) states that the Affidavit (X) is filed out of her own free will and the contents of the same are as per her say. She states that she has no objection for quashing of the Criminal Proceedings commenced on the basis of her complaint.

5. Applicants who are present state that they have amicably resolved the dispute with the Respondent No. 2.

6. In view of the consent terms (Page 25 to 29) and the Affidavit marked as (X), Ms. Dabholkar, learned APP submits that the parties having amicably resolved their matrimonial dispute, the criminal proceedings can be quashed.

7. Considering the aforesaid circumstances, the nature of the dispute, the statements made by the Respondent No. 2 in the Affidavit (X) and having regards to the pronouncement of the Hon'ble Supreme Court in *Parbatbhai Aahir @ Parbatbhai vs The State Of Gujarat*¹, *Narinder Singh & Ors vs State Of Punjab*² & *Gian Singh v. State Of Punjab*³ there is no impediment in allowing this Application.

8. Criminal Application No. 96 is allowed in terms of prayer clause (a). Consequently, FIR bearing No. 818 of 2025 registered at Kandivali Police Station, Kandivali is quashed.

9. There shall be no orders as to costs.

(ASHWIN D. BHOBE, J.)

1 2017 9 SCC 641

2 2014 6 SCC 466

3 2012 10 SCC 303

