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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 165 OF 2026

Mr. Guru Bakshish Kohli & Ors. ... Applicants

V/s.

The State of Maharashtra & Anr. ... Respondents

Mr. Rajendra Jain a/w Mr. Pranil Lahigade i/b Ms. Neha Sharma,
Advocate for Applicants.

Mr. Paresh Desai, Advocate for Respondent No. 2.

Mr. Tanveer Khan, APP for Respondent No. 1 - State.

CORAM : ASHWIN D. BHOBE, J.

DATE : 2nd FEBRUARY, 2026.

P.C. :

1. The Application under Section 528 of the Bharatiya
Nagarik Suraksha Sanhita ('BNSS'), is preferred by the Applicants
against the FIR bearing C. R. No. 0525 of 2025 registered with
Govandi Police Station for the offences punishable under Sections
85, 316(2), 115(2), 352, 3(5) of the BNS, 2023.

2. Applicants No. 1 is present in Court with his Advocate
Mr. Rajendra Jain. Applicant Nos. 2 & 3 are appearing through V.

C. Mr. Rajendra Jain identifies the Applicant Nos. 2 & 3 and tenders photostat copies (3 nos.) of the photo Identity Card of the Applicants, same are taken on record and marked '**X-colly**' for identification.

3. Respondent No. 2 is present in Court along with her Advocate Mr. Paresh Desai. Photostat copy of the Identity Card of the Respondent No. 2 is taken on record and marked '**X-1**' for identification.

4. Mr. Rajendra Jain and Mr. Paresh Desai submit that the the dispute between the Applicants and Respondent No. 2 is settled. They submit that the Divorce Petition bearing No. A-2035 of 2025 before the Family Court at Bandra is settled and parties have signed consent terms before the Marriage Counsellor, Family Court of Bombay. Said consent terms dated 22nd January, 2026 are placed on record (at Exhibit-B page No. 36 to 42) which are marked as '**X-2**' for identification. They submit that the Respondent No.2 has given No objection for quashing of the FIR, as such they pray for quashing of the FIR.

5. Mr. Paresh Desai tenders Affidavit dated 29th January, 2026 affirmed by the Respondent No. 2 before the Registry of this Court, same is taken on record and marked '**X -3**' for identification. Respondent No. 2 (Sasmitha R. Sreedharan) states that the affidavit (X-3) 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 dated 29th January, 2026 are as per her say. She reiterates her No objection for quashing of the Impugned FIR.

6. Mr. Tanveer Khan, learned APP submits that the Applicant No.1 and Respondent No.2, now having decided to separate, no purpose would be served in continuing with the criminal proceedings. He submits that the impugned FIR and the criminal proceedings may be quashed, based on the affidavit at '**X-3**' and the statements today made before this Court by the Advocates representing Applicant and the Respondent No.2. He however insists for imposition of costs.

7. Mr. Paresh Desai and Mr. Rajendra Jain, on instructions from the parties who are present in Court as also on V.C., state that

an amount of Rs. 50,000/- would be paid as costs.

8. Considering the aforesaid circumstances, the parties having resolved their disputes before the Family Court, the statements made by Respondent No. 2 in her affidavit '**X-3**' and having regard to the decision of the Hon'ble Supreme Court in case of *Gian Singh V. State of Punjab*¹, *Parbatbhai Aahir Alias Prabatbhai Bhimsinbhai Karmur and Others Vs. State of Gujarat Anr*², *Narinder Singh & Ors. Vs. State of Punjab & Anr.*³ there is no impediment for allowing this Application.

9. Criminal Application No. 165 of 2026 is allowed in prayer clause (a), subject to payment of costs of Rs. 50,000/- . Consequently, the impugned FIR bearing C.R. No. 0525 of 2025 registered at Govandi Police Station is quashed.

10. Applicants and Respondent No. 2 shall deposit the amount of Rs. 50,000/- in the below-mentioned bank account within two weeks from today, :-

1 (2012) 10 SCC 303

2 (2017) 9 SCC 641

3 (2014) 6 SCC 466

Central Police Welfare Fund

Account No: 914010029005759

Bank : Axis Bank Limited

Branch : Worli, Mumbai (M.H.), Mumbai - 400 025

IFSC Code: UTIB0000060

11. Applicants and Respondent No. 2 shall file compliance affidavit with proof of deposit in the Registry of this Court on or before 27th February, 2026 .

(ASHWIN D. BHOBE, J.)