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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 179 OF 2026

Salman Salim Khan @ Salman Khan And Ors. ... Applicants

V/s.

The State of Maharashtra & Anr. ... Respondents

Mr. Niraj Tripathi a/w Mr. Ravish Furqan Zamindar, Advocate for Applicants.

Mr. Shekhar Singh, Advocate for Respondent No. 2.

Ms. Pallavi Dabholkar, APP for Respondent – State.

Mr. Moh Rafik Gavandi – PSI, Malad Police Station, Mumbai.

CORAM : ASHWIN D. BHOBE, J.

DATE : 5th FEBRUARY, 2026.

P.C. :

1. Heard Mr. Niraj Tripathi, learned Advocate for the Applicants, Mr. Shekhar Singh, learned Advocate for Respondent No. 2 and Ms. Pallavi Dabholkar, learned APP for the State.

2. By the present Application filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita ('BNSS'), the Applicants has

sought for quashing of the FIR bearing No. 809 of 2025 dated 18th November, 2025 registered with Malad Police Station for offence punishable under Sections 3(5), 115(2), 352, 351(2), 316(2), 85 of the BNS 2023.

3. Applicant No. 1, Applicant Nos. 2 and 5 are present in the Court along with their Advocate Mr. Niraj Tripathi. Applicant Nos. 3 & 4 are present through V. C. and are identified by Advocate Mr. Niraj Tripathi. Photostat copy of the Applicant's Aadhar Card (5 in numbers) are taken on record and marked as '**X-colly**' for identification.

4. Respondent No. 2 is present in Court along with her Advocate Mr. Shekhar Singh.

5. Mr. Niraj Tripathi and Mr. Shekhar Singh submit that the Applicants and Respondent No. 2 have resolved the matrimonial dispute. Applicant No. 1 (Husband) and Respondent No. 2 (wife) have decided to part ways. They therefore submit that the criminal proceedings filed by Respondent No. 2 against the Applicants may not be quashed.

6. Mr. Shekhar Singh tenders the affidavit dated 23rd January, 2026 affirmed by the Respondent No. 2 before Notary Mr. Jawaharlal K. Tiwari along with photostat copy of her identity card, same are taken on record and marked 'X-1' and 'X-2', respectively for identification.

7. Respondent No. 2 states that the affidavit (X-2) 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 (X-2) are as per her say. She reiterates her no objection for quashing of the criminal proceedings.

8. Ms. Pallavi Dabholkar, learned APP for the State, 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. She submits that the impugned FIR and criminal proceedings may be quashed, based on the affidavit (X-2) and the statements today made before this Court by the Advocates representing Applicants and the Respondent No.2. She however insists for imposition of costs on

the parties.

9. Mr. Niraj Tripathi and Mr. Shekhar Singh on instructions from the Applicants and Respondent No. 2 submit they shall pay appropriate costs.

10. Considering the aforesaid circumstances, the nature of dispute, the statements made by the Respondent No. 2 in her affidavit (X-2) and having regard to the decision of the Hon'ble Supreme Court in the case of Gian Singh V. State of Punjab¹, Parbatbhai Aahir Alias Prabatbhai Bhimsinbhai Karmur and Others Vs. State of Gujarat Anr², Narinder Singh & Ors. Vs. State of Punjab & Anr³ there is no impediment for allowing this Application.

11. Subject to payment of cost of Rs. 50,000/- by the Applicants and the Respondent No. 2, this Application is allowed in terms of prayer clause (b). Consequently, the FIR bearing No. 809 of 2025, registered with Malad Police Station is quashed.

1 (2012) 10 SCC 303

2 (2017) 9 SCC 641

3 (2014) 6 SCC 466

12. Applicants and the Respondent No. 2 shall deposit the cost of Rs.50,000/- in the below mentioned account within four weeks from today and file Affidavit of compliance along with proof of deposit in the Registry of this Court on or before 9th March, 2026.

The High Court Employees Medical Welfare Fund at Mumbai	
Bank :-	Bank of India
Account No. :-	36004058950
Branch :-	Mumbai Main
IFSC :-BKID0000001	BKID0000001

(ASHWIN D. BHOBE, J.)