

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 190 OF 2026

Manish Mohan Kasarkar And Ors. ... Applicants
V/s.
The State of Maharashtra & Anr. ... Respondents

Mr. Ansu Jaiswal a/w Mr. Pradeep Sarawgi, Advocates for Applicants.

Ms. Kiran Sharma a/w Mr. Jigar Shah, Ms. Radhika Sharma and Mr. Ronak Shah, Advocate for Respondent No. 2.

Ms. Pallavi Dabholkar, APP for Respondent – State.

Mr. V. T. Phadke – PSI, Navghar Police Station.

CORAM : ASHWIN D. BHOBE, J.

DATE : 5th FEBRUARY, 2026.

P.C. :

1. By the present Application filed under Article 226 of the Constitution of India under Section 482 of the Criminal Procedure Code, 1973 (for short 'Cr. P. C.'), the Applicants have sought for the following substantive reliefs in prayer clause (c) and (d) :-

“c. This Hon'ble Court be pleased to invoke its inherent jurisdiction under Section 482 of The Code of Criminal Procedure, 1973; and / or its Writ Jurisdiction under Article 226 of The Constitution of India to pass an appropriate Order to quash and set aside, the F.I.R. bearing No.0272 of 2023; dated 17th

April, 2023; registered with the Navghar Police Station, Bhayandar (East), Thane; for commission of offence(s) punishable under Section(s) 498A, 406, 323, 504 and 34 of The Indian Penal Code, 1860.

d. This Hon'ble Court be pleased to invoke its inherent jurisdiction under Section 482 of The Code of Criminal Procedure, 1973; and / or its Writ Jurisdiction under Article 226 of The Constitution of India to pass an appropriate Order to quash and set aside, the Criminal Proceedings bearing R.C.C. No.9842 of 2025; pending before the Hon'ble 02nd Joint Civil Judge (Junior Division) & J.M.F.C., Mira-Bhayandar; Thane."

2. Applicant is present in Court with Advocate Mr. Ansu Jaiswal. Photostat copy of identity card of Applicant is taken on record and marked 'X' for identification. Respondent No. 2 (Mrs. Mansi Manish Kesarkar @ Miss Mansi Krishna Parte) is present in the Court with her Advocate Ms. Kiran Sharma.

3. Advocate Ms. Kiran Sharma tenders the affidavit dated 20th January, 2026, affirmed by Respondent No. 2 before Notary Mr. R. S. Jadaun, Mumbai. Affidavit dated 20th January, 2026 of Respondent No. 2 along with the photostat copy of the Aadhar Card are taken on record and marked 'X-2' and 'X-1', respectively for identification.

4. Respondent No. 2 (Mrs. Mansi Manish Kesarkar @

Miss Mansi Krishna Parte) states that the said 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.

5. Mr. Ansu Jaiswal and Mr. Kiran Sharma submit that the Applicants and Respondent No. 2 have resolved the matrimonial dispute and have decided to part ways. They therefore submit that the criminal proceedings filed by the Respondent No. 2 against the Applicants may not be continued and the same be quashed.

6. Ms. Pallavi Dabholkar, learned APP for the State, submits that the Applicants 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 the criminal proceedings may be quashed, based on the affidavit at **'X-2'** and the statements today made before this Court by the Advocates representing Applicants & Respondent No. 2.

7. Considering the aforesaid circumstances, the nature of

the dispute, the statements made by Respondent No. 2 in the 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.

8. Criminal Application is therefore allowed in terms of prayer clause (c) and (d). The FIR No. 0272 of 2023 dated 17th April, 2023 registered with Navghar Police Station, Bhayander (East), Thane and the charge-sheet No. 204 of 2023 registered as Case No. RCC/9842 of 2025 pending before the Hon'ble 2nd Joint Civil Judge (Junior Division) and J.M.F.C., Mira Bhayander, Thane, are quashed.

9. There shall be no order as to costs.

(ASHWIN D. BHOBE, J.)

1 (2012) 10 SCC 303

2 (2017) 9 SCC 641

3 (2014) 6 SCC 466