

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

CRIMINAL APPLICATION NO.206 OF 2026

Aamir Mohd. Yunus Khan and ors. : Applicants.
Versus
The State of Maharashtra and anr. : Respondents

Ms. Ansu D Jaiswal a/w Ms. Asba Khatib and Mr. Jigar Shah for the Applicants.

Ms. Pallavi N Dabholkar, APP for the Respondent/State.

Mr. Ronak A Shah a/w Mr. Pradeep D Sarawgi and Ms. Radhika S Sharma for Respondent No.2.

CORAM : ASHWIN D. BHOBE, J.

DATE : 09 FEBRUARY 2026

P.C.

1 Heard Ms. Ansu Jaiswal, learned Advocate for the Applicants, Ms. Pallavi Dabholkar, learned APP for the Respondent/State and Mr. Ronak Shah, learned Advocate for Respondent No.2.

2. This Application under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is preferred by the Applicants for quashing and setting aside the FIR bearing No.0061 of 2023 dated 01 February 2023 registered with the Naya Nagar Police Station, Mira Road (East), Thane – 401 107 for the offences punishable under Sections 498-A, 323, 406,

504, 506 and 34 of the Indian Penal Code and the Chargesheet bearing No.89 of 2023 registered as Case bearing RCC No.10819 of 2025, pending before the Hon'ble civil Judge (Junior Division) & Judicial Magistrate (First Class) Mira – Bhayandar, Thane.

3 Applicants are present in the Court and are identified by their Advocate Ms. Ansu D Jaiswal. She tenders the Photostat copies of the Identity Cards (six in number) of Applicants, which are taken on record and marked as **“X-Colly”** for identification.

4 Respondent No.2 is present the Court and is identified by her Advocate Mr. Ronak Shah. He tenders Photostat copy of Identity Card of Respondent No.2, which is taken on record and marked as **“X-1”** for identification.

5 Advocate Ms. Ansu Jaiswal and Advocate Mr. Ronak Shah submit that the matrimonial discord between the Applicants and Respondent No.2 is amicably resolved. They submit that the Applicant No.1 (Husband) and Respondent No.2 have decided to separate and part ways. They submit that Respondent No.2 has given no objection for quashing of the criminal proceedings against the Applicants.

6 Mr. Ronak Shah states that the Affidavit dated 20 January 2026 affirmed by Respondent No.2 before the Notary R. S. Jadaun, Bhayander (W), Thane is placed on record as Exhibit-C page Nos. 78 to 86. The same is marked as **“X-2”** for identification.

7 Respondent No. 2 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. She reiterates her no objection for quashing of the criminal proceedings.

8 Ms. Pallavi Dabholkar, learned APP for the Respondent/State submits that Respondent No.2 having filed her Affidavit (X-2) and given no objection for quashing the criminal proceedings, no purpose would be served in continuing with the criminal proceedings. She however insists for imposition of costs.

9 Ms Ansu Jaiswal and Mr. Ronak Shah, on instructions, submits that the Applicants and Respondent No.2 would deposit an amount of Rs.25,000/- as costs.

10 Considering the aforesaid circumstances, the nature of dispute, the matter being settled between the Applicants and the Respondent No.2, the Respondent No.2 having given her no objection in the Affidavit (X-2) and having regards to the pronouncements of the Hon'ble Supreme Court in the case of *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 Application.

11 In view of the above, Criminal Application No.206 of 2026 is allowed in terms of prayer clauses (c) and (d) subject to payment of costs of Rs.25,000/-. Consequently, the impugned FIR bearing No.0061 of 2023 dated 01 February 2023 registered with the Naya Nagar Police Station, Mira Road (East), Thane – 401 107 and the Chargesheet bearing No.89 of 2023 registered as Case bearing RCC No.10819 of 2025, pending before the Hon'ble civil Judge (Junior Division) & Judicial Magistrate (First Class) Mira – Bhayandar, Thane are quashed.

12 The Applicants and the Respondent No.2 shall deposit the

1 2012 10 SCC 303

2 2014 6 SCC 466

3 2017 9 SCC 641

costs of Rs.25,000/- in the below mentioned Account with a period of two weeks from today and file in the Registry the compliance affidavit along with the proof of deposit on or before 09 March 2026.

Central Police Welfare Fund

Account No: 914010029005759

Bank : Axis Bank Limited

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

IFSC Code: UTIB0000060

13 This Criminal Application is allowed in the above-said terms.

[ASHWIN D. BH OBE , J]