

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

CRIMINAL APPLICATION NO. 297 OF 2026

Jay Suresh Dodeja And Ors. ...Applicants

Versus

The State of Maharashtra And Anr. ...Respondents

Mr. Omkar Nagwekar, learned Advocate for the Applicants.
All the Applicants are present in the Court.

Ms. Pallavi N. Dabholkar, learned A.P.P. for the State/Respondent.

Mr. S. K. Gawada, learned Advocate for Respondent No. 2.

Respondent No. 2 is present in the Court.

PI Mr. Dattatray S. Sanap attached to Hill Line Police Station, District-Thane City is present in the Court.

CORAM : ASHWIN D. BHOBE, J.

DATE : 12th FEBRUARY 2026.

P.C. :

1. Heard Mr. Omkar Nagwekar, learned Advocate for the Applicants, Ms. Pallavi Dabholkar, learned A.P.P. for the State/Respondent and Mr. Gawada, learned Advocate for Respondent No. 2.

2. This Criminal Application is preferred by the Applicants under Section 482 of the Code of Criminal Procedure, 1973 (under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023), for quashing of the First Information Report bearing No. 138 of 2024 dated 25.01.2024 registered with Hill Line Police Station, District-Thane City for the offences punishable under Sections 498(A), 323,

406, 504 & 506 read with Section 34 of the Indian Penal Code, 1860 and the charge-sheet bearing Regular Criminal Case No. 847 of 2024 dated 16.07.2024 pending before the Judicial Magistrate First Class, 5th Court at Ulhasnagar, arising out of the said FIR.

3. Applicant Nos. 1 to 4 are present in the Court along with their Advocate Mr. Omkar Nagwekar. Mr. Omkar Nagwekar identifies all the Applicants and tenders the photostat copies of their Aadhar Cards, respectively as identity proof. Same are taken on record and marked as “**X Colly.**” for identification.

4. Respondent No. 2 is present along with his Advocate Mr. Gawada. Mr. Gawada tenders photostat copy of the Aadhar Card of Respondent No. 2 as identity proof. Same is taken on record and marked as “**X-1**” for identification.

5. Mr. Gawada tenders Affidavit dated 11.02.2026 affirmed by Respondent No. 2 before the Notary Advocate Mr. Satish B. Sawant, Ulhasnagar. Same is taken on record and marked as “**X-2**” for identification. Respondent No. 2, who is present in the Court, states that she has filed the said Affidavit dated 11.02.2026 (X-2) out of her own free will and without any pressure, force or coercion from any person. She states that the contents of Affidavit dated 11.02.2026 (X-2) are as per her say. She reiterates that the dispute between her and the Applicants is amicably resolved, as such she gives No Objection for quashing of the criminal proceedings.

6. Mr. Omkar Nagwekar, learned Advocate for the Applicants and Mr. Gawada, learned Advocate for Respondent No.

2/Complainant jointly submit that the Applicants and Respondent No. 2 have amicably resolved the matrimonial dispute amongst themselves. Applicant No. 1 (Husband) and Respondent No. 2 (Wife) have decided to separate from each other and they have filed Marriage Petition No. 576 of 2023 before the learned Civil Judge, Senior Division, Kalyan seeking divorce under Section 13(1)(i-a)(b) of the Hindu Marriage Act, 1955, as such Respondent No. 2 has given her No Objection for quashing of the criminal proceedings initiated at her instance. They therefore submit that the matrimonial discord being resolved, the criminal proceedings against the Applicants be quashed.

7. Ms. Pallavi Dabholkar, learned A.P.P. for the State/Respondent submits that though the police machinery was put in action on the basis of the complaint filed by Respondent No. 2, however the parties having now resolved their dispute and in view of the statements made by Respondent No. 2 in the Affidavit (X-2), the documents placed on record viz. the Consent Terms filed by Applicant No. 1 & Respondent No. 2 in Marriage Petition No. 576 of 2023 before the Civil Judge, Senior Division, Kalyan under Section 13(1)(i-a)(b) of the Hindu Marriage Act, 1955, no purpose would be served by continuing with the criminal proceedings. She therefore submits that the impugned FIR and the criminal proceedings arising out of the said FIR can be quashed, subject to imposition of costs on the parties.

8. Mr. Omkar Nagwekar, learned Advocate for the Applicants on instructions from the Applicants, who are present in the Court states that appropriate amount would be paid as costs.

9. Considering the facts as placed before me, the nature of dispute, the matter being amicably settled between the Applicants and Respondent No. 2, the statements made on oath by Respondent No. 2 (Affidavit at X-2) and having regards to the pronouncements of the Hon'ble Supreme Court in the cases of *Gian Singh v/s. The State of Punjab and Another*¹, *Narinder Singh and Others v/s. State of Punjab and Another*² and *Parbatbhai Aahir Alias Parbatbhai Bhimsinbhai Karmur and Others Vs. State of Gujarat and Anr.*³, there is no impediment in allowing this Criminal Application.

10. In view of the above, Criminal Application is allowed in terms of prayer clause (b) subject to payment of cost of Rs. 25,000/- by the Applicants as condition precedent. Consequently, the FIR bearing No. 138 of 2024 dated 25.01.2024 registered with Hill Line Police Station, District-Thane City for the offences punishable under Sections 498(A), 323, 406, 504 & 506 read with Section 34 of the Indian Penal Code, 1860 and the subsequent charge-sheet bearing Regular Criminal Case No. 847 of 2024 dated 16.07.2024 pending before the Judicial Magistrate First Class, 5th Court at Ulhasnagar, arising out of the said FIR, are quashed. Criminal proceedings against the Applicants arising out of the impugned FIR and the charge-sheet are closed.

11. Applicants shall deposit cost of Rs. 25,000/- in the following account within a period of 2 weeks from today and furnish proof of deposit before the Registry of this Court by filing an Affidavit of

1. (2012)10 Supreme Court Cases 303.

2. (2014)6 Supreme Court Cases 466.

3. (2017) 9 SCC 641.

compliance on or before 10.03.2026 :-

Bank Name : Axis Bank Limited
Branch Name : Worli, Mumbai (M.H.), Mumbai-400
025
Account Name : **Central Police Welfare Fund, Director
General MS, Mumbai**
Account Number : 914010029005759
IFSC Code : UTIB0000060

12. Criminal Application No. 297 of 2026 is disposed of in the above said terms.

[ASHWIN D. BHOBE, J.]

GITALAXMI
KRISHNA
KOTAWADEKAR
Digitally signed
by GITALAXMI
KRISHNA
KOTAWADEKAR
Date:
2026.02.13
21:13:57 +0530