

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

CRIMINAL APPLICATION NO.348 OF 2026

Satish Ramprasad Sahani : Applicant
Versus
Jhumki Janeta Marak and anr. : Respondents.

Mr. Ranjit Singh for the Applicant.
Mr. Omkar Nagwekar for the Respondent No.1.
Ms. Shilpa Talhar, APP for the Respondent No.2/State.

CORAM : ASHWIN D. BHOBE, J.
DATED : 26 FEBRUARY 2026

PC:-

1. Heard Mr. Ranjit Singh, learned Advocate for the Applicant, Mr. Omkar Nagwekar, learned Advocate for the Respondent No.1 and Ms. Shilpa Talhar, APP for the Respondent/State.

2. This Application under Section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 is preferred by the Applicant for quashing the FIR bearing CR No.366 of 2017 registered with Santacruz Police Station for the offences punishable

under Section 354(D), 509, 323 of the Indian Penal Code and the chargesheet bearing CC No.17/PW/2021 pending before the learned 71st Judicial Magistrate First Class, Bandra, Mumbai.

3. Applicant is present in the Court and is identified by his Advocate Mr. Ranjit Singh. He tenders the Photostat copy of the Identity Card of the Applicant, which is taken on record and marked as **“X”** for identification.

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

5. Mr. Ranjit Singh states that the Affidavit dated 26 February 2026 affirmed by Respondent No.1 before the Registry of this Court is placed on record, the same is marked as **“X-2”** for identification.

6. Respondent No. 1 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.

7. Mr. Ranjit Singh and Mr. Omkar Nagwekar submit that the dispute between the Applicant and the Respondent No.,1 was on account of a misunderstanding. They submit that thought the Applicant intended to marry the Respondent No.1, the Respondent No.1 did not have any intention to do so, as such the dispute. They submit that the Respondent No.1 and the Applicant have amicably settled the dispute and therefore the Respondent No.1 has given her no objection for quashing of the criminal proceedings. They point out the statements made by the Respondent No.1 in the Affidavit (X-2). They rely on the paragraph Nos. 2 to 8 which are transcribed herein below in verbatim :-

"2. I say that I was in relationship with the applicant, I say that I did not wished to marry him, and as

*he insisted on getting married I lodged the abovesaid F.I.R.
in fit of rage/anger.*

3. *I say that I have settled the dispute amicably
outside court with the applicant/accused and I am non-
desirous of seeking prosecution against the Applicant.*

4. *I say that at present I do not have any grievance
against the applicant.*

5. *I have no differences or complaint with the
applicant/accused.*

6. *I say that at present my family is in good terms
with the family of the applicant.*

7. *I say that at present I am married and have my
own family life and responsibilities and hence I do not wish
to precipitate the matter any further.*

8. *I say that I don't wish to get the
applicant/accused prosecuted in this case."*

8. Ms. Shilpa Talhar, learned APP for the Respondent/State submits that in view of the settlement arrived at between the Applicant and the Respondent No.1 and the no objection was given by the Respondent No.1 in the Affidavit (X-2), she has no objection for quashing the criminal proceedings, however, insists for imposition of exemplary costs.

9. Mr. Ranjit Singh and Mr. Omkar Nagwekar, on instructions, submits that the Applicant and Respondent No.1 shall deposit appropriate costs.

10. Considering the aforesaid circumstances, the nature of dispute between the parties, the matter being settled between the Applicant and the Respondent No.1, the statement made by the Respondent No. 1 in the Affidavit (X-2), no useful purpose is likely to be served by allowing a criminal prosecution to continue. 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, *Parbatbhai Aahir @ Parbatbhai vs The State Of Gujarat*³ and *Madhavrao Jiwajirao Scindia & ors Vs. Sambhajirao Chandrojirao Angre & ors.*⁴, there is no impediment in allowing this Application.

¹ 2012 10 SCC 303

² 2014 6 SCC 466

³ 2017 9 SCC 641

⁴ (1998) 1 SCC 692

11. In view of the above, Criminal Application No.348 of 2026 is allowed in terms of prayer clause (b) subject to payment of costs of Rs.50,000/- (Rs.25,000/- by the Applicant and Rs.25,000/- by the Respondent No.1)/-. Payment of costs is a condition precedence. Consequently, the impugned FIR bearing CR No.366 of 2017 registered with Santacruz Police Station and the chargesheet bearing CC No.17/PW/2021 pending before the learned 71st Judicial Magistrate First Class, Bandra, Mumbai. are quashed.

12. The Applicant and the Respondent No.1 shall deposit costs of Rs.25,000/- each in the below mentioned Accounts within a period of two weeks from today and file in the Registry of this Court the compliance affidavit along with the proof of deposit on or before 18 March 2026:-

a] The Applicant shall deposit the costs of Rs.25,000/- in:-

The High Court Employees Medical Welfare Fund at Mumbai

Account No.: 000120110001337

Bank : Bank of India

Branch : Mumbai Main

IFSC Code : BKID0000001

b] The Respondent No.1 shall deposit the costs of Rs.25,000/- in:-

Central Police Welfare Fund

Account No: 914010029005759

Bank : Axis Bank Limited

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

IFSC Code: UTIB0000060

13. The Criminal Application No.348 of 2026 is disposed of.

(ASHWIN D. BHOBE, J.)