

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 532 OF 2026**

Milind Ramdas Bidave

... Applicant

Versus.

The State Of Maharashtra And Anr.

... Respondents

Mr. Gautam Kanchanpurkar, for the Applicant.

Ms. Priya Patil, for the Respondent No. 2

Ms. Rajeshree Newton, APP for the Respondent – State.

PSI Sameer Bagade, Rabale Police Station, is present.

CORAM : ASHWIN D. BHOBE, J.

DATE : 27th March, 2026.

P.C. :

1. Heard Mr. Gautam Kanchanpurkar, learned Advocate for the Applicant, Ms. Rajeshree Newton, learned APP for the Respondent-State and Ms. Priya Patil, learned Advocate for Respondent No. 2.

2. At the outset, Mr. Gautam Kanchanpurkar, learned Advocate for the Applicant, submits that during the pendency of the Criminal Application, chargesheet was filed. He therefore seeks leave to amend the prayer clause of the Criminal Application to include a prayer regarding the chargesheet. The request made by Mr. Gautam Kanchanpurkar, is not objected to by Ms. Rajeshree

Newton, learned APP or Ms. Priya Patil, learned Advocate for the Respondent No. 2. In view of the no objection, leave granted to amend the prayer clause. Mr. Gautam Kanchanpurkar, learned Advocate for the Applicant, states that the amendment will be carried out forthwith. Permission granted.

3. This Criminal Application under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, is filed by the Applicant seeking to quash the FIR No. I-601 of 2024, dated 09.11.2024, registered at Rabale Police Station, Navi Mumbai (impugned FIR), for offences punishable under Sections 323, 376, 377, 498-A, 500, and 504 of the Indian Penal Code, 1860, and the charge sheet arising from the impugned FIR.

4. Mr. Gautam Kanchanpurkar and Ms. Priya Patil, learned Advocates, submit that the subject matter of the impugned FIR arises from a matrimonial dispute. They submit that though various sections, such as 323, 376, 377, 504, and 500 of IPC, have been charged in the impugned FIR, the allegations mainly relate to matrimonial disharmony between the Applicant (Husband) and Respondent No. 2 (Wife). They submit that this dispute led

Respondent No. 2 to file the complaint, thereby making the allegations against the Applicant. They submit that the Applicant and Respondent No. 2 have now resolved their issues amicably and have decided to part ways. Additionally, they have applied for divorce before the Family Court, Bandra, seeking divorce by mutual consent under Section 13-B of the Hindu Marriage Act, 1955, which proceedings are currently pending. They contend that, given the settlement, Respondent No. 2 has no objection to quashing the impugned FIR.

5. Ms. Priya Patil, Advocate for Respondent No. 2, on instructions from Respondent No. 2, who is present in court, specifically submits that the allegations under Sections 323, 376, 377, and 504 stem from tiffs and skirmishes with Respondent No. 2.

6. The Applicant is present in Court and is identified by his Advocate Mr. Gautam Kanchanpurkar. He tenders a photocopy of the Applicant's identity card, which is taken on record and marked as “X” for identification.

7. Respondent No. 2 is present in Court and is identified by her Advocate, Ms. Priya Patil. She submits a photocopy of Respondent No. 2's identity card, which is taken on record and marked as **"X-1"** for identification.

8. Ms. Priya Patil states that the Affidavit dated 27.03.2026, affirmed by the Respondent No. 2, before the Notary Snehal Sawant, is placed on record and the same is marked as **"X-2"** for identification. She states that the Affidavit (X-2) is filed out of her own free will and without any pressure or coercion from any person.

9. Respondent No. 2 states that the contents of the Affidavit (X-2) are as per her statement. She states that the allegations she made in the impugned FIR, arose from matrimonial disharmony between her and the Applicant. She states that the allegations in the complaint pertained to the period of her marriage to the Applicant. She states that she has resolved the issues with the Applicant and reaffirms her no objection in her Affidavit (X-2) to the quashing of the impugned FIR and the criminal proceedings. She refers to paragraphs Nos. 2, 3, and 4 of her Affidavit (X-2),

which are transcribed here verbatim below.

2. I say that after registration of said crime, the applicant has approached me and he has proposed me to settle the dispute among us as our liking and disliking are found totally different. It is also found to us that it is very difficult for us to cohabit with each other. I say that therefore with the help of elders, we have decided to resolve our dispute amicably. I say that we i.e. the applicant and myself have mutually agreed to dissolve our marriage by filing the petition for divorce by mutual consent under Section 13-B of the Hindu Marriage Act, 1955. Said petition is pending before the learned Judge of the Family Court, Bandra, Mumabai and the same is kept on 04.04.2026 for passing decree. I say that both of us have filed consent terms before the Family Court, Bandra, Mumbai.

3. I say that in view of the consent terms filed before the Family Court, Bandra, Mumbai, I have decided to not to prosecute the above criminal prosecution against the applicant and therefore I am herewith according my consent by way 'No-objection' for quashing a Crime bearing F.I.R. No.601/2024 dated 09.11.2024 registered with Rabale Police Station, Navi Mumbai and also Criminal Case bearing No.634 of 2025 pending on the file of the learned Judicial Magistrate, First Class, Belapur, Thane.

4. I say that it is mutually agreed between the applicant and myself that the applicant has agreed and undertaken that he will pay Rs.5,00,000/- (Rupees Five Laks only) towards the full and final settlement of the permanent alimony. It is further agreed between us that out of said amount of Rs.5,00,000/-, the applicant will pay an amount of Rs.2,50,000/- at the time of hearing of this criminal application in this Hon'ble Court through Demand Draft No.024164 and the remaining amount of Rs.2,50,000/- would be paid to me at the time of filing claim affidavit in the Divorce petition. I say that it is agreed by me that I will co-operate with the applicant for filing the petition for obtaining decree of divorce by mutual consent and also co-operate to

obtain the decree of divorce by mutual consent. It is also agreed and undertaken by me that I will not claim of whatsoever nature except the amount mentioned hereinabove in future by the applicant.

10. Ms. Rajeshree Newton, learned APP for the Respondent - State, submits that the matrimonial dispute between the Applicant and Respondent No. 2 was given a criminal veneer, which triggered police action. She states that, considering the amicable settlement between the Applicant and Respondent No. 2 and the statements made by Respondent No. 2 in her Affidavit (X-2), she has no objection to quashing the impugned FIR and the chargesheet arising from it. However, she insists on imposing exemplary costs on the Applicant and Respondent No. 2.

11. Mr. Gautam Kanchanpurkar and Ms. Priya Patil, learned Advocates, on instructions from the Applicant and the Respondent No. 2, submit that they shall deposit appropriate costs.

12. Considering the matrimonial dispute between the Applicant and Respondent No. 2 has been amicably resolved, as stated by Respondent No. 2 in her Affidavit (X-2), the submissions of the Advocates for the parties and the no objection of Respondent No. 2

in her Affidavit (X-2) to quashing the impugned FIR alongwith the charge sheet and her lack of intention to proceed with the criminal proceedings, no useful purpose would be served by allowing the criminal prosecution to continue. Having regard 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.

13. In view of the above, Criminal Application No. 532 of 2026 is allowed in terms of prayer (a) and (b), subject to payment of Rs. 25,000/- each by the Applicant and Respondent No. 2. Payment of costs is a condition precedent. Consequently, the impugned FIR and the chargesheet arising from it are quashed.

14. The Applicant shall deposit the cost of Rs. 25,000/- in the account mentioned below within a period of three (3) weeks from today.

1 2012 10 SCC 303

2 2014 6 SCC 466

3 2017 9 SCC 641

Central Police Welfare Fund	
Director General M. S. Mumbai.	
Account No. :	914010029005759
Bank:	Axis Bank Limited
Branch:	Worli, Mumbai (M.H.), Mumbai - 400 025
IFSC Code:	UTIB0000060

15. The Respondent No. 2 shall deposit the cost of Rs. 25,000/- in the account mentioned below, within a period of three (3) weeks from today.

The High Court Employees Medical Welfare Fund at Mumbai	
Account No. :	000120110001337
Bank:	Bank of India
Branch:	Mumbai Main
IFSC Code:	BKID0000001

16. The compliance affidavit, along with the proof of deposit, shall be filed by the Applicant and the Respondent No. 2 in the Registry of this Court on or before 22.04.2026.

17. Criminal Application No. 532 of 2026 is disposed of.

(ASHWIN D. BHOBE, J.)

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KRISHNA
RODGE
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