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

CRIMINAL APPLICATION NO.,648 OF 2026

Dheeraj Anand Chaurasiya : Applicant.
Versus
The State of Maharashtra and anr. : Respondent

Mr. Ganesh Gupta a/w Mr. Sahil Ghorpade i/by GG Legal Associates for the Applicant.

Mrs. Geeta Mulekar, APP for the Respondent/State.

Mr. Surya P Gupta for the Respondent No.2.

CORAM : ASHWIN D. BHOBE, J.

DATED : 20 APRIL 2026

PC:-

1. Heard Mr. Ganesh Gupta, learned Advocate for the Applicant, Mrs. Geeta Mulekar, learned APP for the Respondent/State and Mr. Surya Gupta, learned Advocate for the Respondent No.2.

2. This Application under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, is preferred by the Applicant for quashing of the FIR bearing No. 312 of 2025, dated 13 September 2025, registered at Taloja Police Station (impugned FIR) for offences punishable under Sections 351(2), 69 and 77 of the Bharatiya Nyaya Sanhita, 2023.

3. Mr. Ganesh Gupta, learned Advocate for the Applicant and Mr. Surya Gupta, learned Advocate for the Respondent No. 2, submit that the Applicant and the Respondent No. 2 were friends. They submit that this friendship developed into a relationship and subsequently into a consensual physical relationship. They submit that a misunderstanding between the Applicant and the Respondent No. 2 led the Respondent No. 2 to file a complaint, resulting in the registration of the impugned FIR against the Applicant. They submit that the Applicant and the Respondent No. 2 have reconciled their differences and have decided to enter into a bond of marriage. They submit that the Applicant and the Respondent No. 2 have solemnised their marriage in a religious ceremony and have also applied for the registration of a marriage certificate.

4. Mr. Ganesh Gupta, learned Advocate for the Applicant, tendered a copy of Form “D”, the Memorandum of Marriage, bearing Registration No. 50614753, issued by the Government of Maharashtra, Health Department, which is taken on record and marked “A” for identification. The date of marriage and other details of the marriage between the Applicant and the Respondent No. 2 are mentioned in the said document “A”. Mr. Gupta also tendered a Joint Affidavit of the Applicant and the Respondent No. 2 filed before the Authority for completion of registration formalities of the marriage, which is taken on

record and marked “B” for identification. He further tendered a copy of the printout of the Online Marriage Certificate Receipt dated 30 March 2026, which is taken on record and marked “C” for identification.

5. Mr. Ganesh Gupta, learned Advocate for the Applicant and Mr. Surya Gupta, learned Advocate for the Respondent No. 2, submit that the Applicant and the Respondent No. 2 are happily married and are staying together as husband and wife. They submit that the Respondent No. 2 has no grievance whatsoever against the Applicant and has given her no objection in her Affidavit dated 30 March 2026. They therefore request the quashing of the impugned FIR.

6. Applicant is present in the Court and is identified by his Advocate Mr. Ganesh Gupta. He tenders the Photostat copy of the Applicant’s Identity Card, which is taken on record and marked as “X” for identification.

7. Respondent No.2 is present in the Court and is identified by her Advocate Mr. Surya Gupta. He tenders the Photostat copy of Respondent No.2’s Identity Card, which is taken on record and marked as “X-1” for identification.

8. Mr. Surya Gupta, learned Advocate for the Respondent No.2, states that the Affidavit dated 30 March 2026 affirmed by the Respondent No.2 before the Notary S N Dhange, Fort Mumbai is placed on record, the same is marked as “X-2” for identification.

9. 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 states that it was on account of misunderstanding between her and the Applicant that she lodged the impugned FIR. She states that she and the Applicant have reconciled their differences, married and are living together as husband and wife. She further states that she loves her husband. She states that she is not interested in continuing the criminal proceedings and seeks to have them ended. She states that the continuation of the criminal proceedings will disturb her married life with the Applicant. She reiterates her no objection for quashing of the criminal proceedings. She therefore requests the quashing of the impugned FIR. She relies on paragraphs 2 to 6 of her Affidavit (X-2), which are transcribed below in verbatim :-

“2. I state that the Applicant and I became acquainted while working together at the Croma store. Owing to certain misunderstandings, I had lodged the present FIR against the Applicant. But with the intervention of respected members of society, the disputes between us have been amicably resolved. It is pertinent to mention that, with the consent of my parents, the Applicant and I have solemnized our marriage at Bandra Court on 25/03/2026. Since then, we have been residing together as husband and wife, and are leading a peaceful matrimonial life.

3. I say that I am aware that the present Applicant has preferred present Criminal Application before this Hon'ble Court thereby seeking quashing of the F.I.R. Vide C.R. No. 312 of 2025 duly registered with Taloja Police Station lodged by me due to misunderstanding.

4. I say that I have settled my case amicably with the Applicant in view of performing marriage with the

Applicant, therefore now I am willing to settle all my grievance and complaint with the Applicant, therefore I am willing to withdraw the F.I.R vide C.R No.312/2025 dated 13/9/2025 registered with Taloja Police Station.

5. *I say that I am not willing to lead any evidence whether oral or documentary either before Police Machinery or before appropriate Court of Law in the present subject crime against the present Applicant in C.R. No. 312 of 2025 in view of amicable settlement and thereby consenting to allow the prayer made in the quashing Application.*

6. *I do hereby record my No-Objection for allowing the application preferred by the above-named Applicant thereby seeking quashing of criminal F.I.R. Vide C.R No. 312/2025 dated 13/9/2024 for an offences punishable u/s 351(2), 69, 77 of BNS, 2023 registered with Taloja Police Station against present Applicant.”*

10. Mrs. Geeta Mulekar, learned APP for the Respondent-State, submits that the Applicant and the Respondent No.2, having resolved their dispute and now being married to each other, Respondent No.1 – State has no objection to the quashing of the impugned FIR.

11. Considering the facts mentioned above, the submissions of the learned Advocates for the parties, the statements made by the Respondent No. 2 before this Court and her Affidavit (X-2), coupled with the documents tendered by the learned Advocates for the parties (A to C), this is a fit case to exercise jurisdiction under Section 528 of the BNSS to secure the ends of justice. This is a case of love between the Applicant and the Respondent No. 2, not lust. Continuation of the criminal proceedings will result in agony and inconvenience to the Applicant and the Respondent No. 2.

12. Having regards to the pronouncements of the Hon'ble Supreme Court in *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 *Sandeep Singh Thakur vs. The State of Madhya Pradesh and anr.*⁴, there is no impediment in allowing this Application.

13. In view of the above, this Application is allowed in terms of prayer clause (b). Consequently, the impugned FIR and the Charge-sheet, if filed therein, are quashed.

14. In the facts of this case, there shall be no costs.

15. The Criminal Application No.648 of 2026 is disposed of.

(ASHWIN D. BHOBE, J.)

¹ 2012 10 SCC 303

² 2014 6 SCC 466

³ 2017 9 SCC 641

⁴ 2025 SCC OnLine 2927