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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 5388 OF 2025

Priya Aniket Sagavkar alias Priya
Rukmangad Bawne

... Petitioner

Versus.

The State of Maharashtra

... Respondent

Mr. Amol Deshpande, Advocate for Petitioner.

Mr. Tanveer Khan, APP for Respondent No. 1 – State.

CORAM : ASHWIN D. BHOBE, J.

DATE : 24th MARCH, 2026

P.C. :

1. At the outset, Mr. Amol Deshpande states that there is a typographical error in the prayer clause (A-1) of the Petition, and therefore, he seeks leave to amend it. Mr. Tanveer Khan, learned APP for the State does not object to the request made by Mr. Amol Deshpande. In view of the no objection, leave is granted to amend the prayer clause (A-1). Amendment to be carried out forthwith.

2. Mr. Amol Deshpande states that the issue in this Petition is limited. To clarify, he submits that the entire dispute

between the Petitioner, her relatives, and Respondent No. 2 was amicably resolved before the Hon'ble Supreme Court in Transfer Petition (Criminal) No. 261 of 2020. He states that, by order dated 16th December, 2022, the Hon'ble Supreme Court passed the following order :-

ORDER

We have heard learned counsel for the parties.

The parties were referred to Mediation Centre attached to this Court. The Mediation Centre has submitted a report stating that the dispute between the parties has been amicably settled.

The parties have filed a joint application supported by an affidavit containing the terms and conditions of settlement arrived at between them.

Prayer has also been made to grant them a decree of divorce by mutual consent in exercise of powers under Article 142 of the Constitution of India.

I.A. No.141226 of 2022 stands allowed. settlement agreement dated 19.09.2022 is taken record. Let a decree of divorce be drawn accordingly. The terms and conditions of the settlement shall form part of the decree.

In accordance with the terms of the settlement arrived at between the parties, all the proceedings whether civil or criminal pending between the parties, the details whereof have been mentioned in Annexure "B" and "C" of the settlement agreement, shall stand quashed. The parties shall be under an obligation to comply with the terms and conditions of the settlement.

The transfer petitions stand disposed of in the aforesaid terms. Pending application(s), if any, shall also stand disposed of.

3. Mr. Amol Deshpande states that in Annexure 'B' and 'C' of the settlement agreement, the Criminal Case bearing R.C.C. No. 2735 of 2019 was inadvertently omitted. It was due to this mistake that the proceedings continued before the Court of the Additional Chief Judicial Magistrate, Pune. Upon realizing this fact, the Petitioner is before this Court. He submits that Respondent No. 2 has filed an affidavit dated 22nd January, 2025, affirmed before Notary Sanjay Tukaram Patankar, Pune District, Maharashtra, on 22nd January, 2025. He states that the affidavit is at page Nos. 65 of 70 of the petition paper book. He relies on paragraph No.9 of the affidavit, which reads as follows :-

"9. Respondent No. 2 do not wish to proceed with against the Petitioner in view of consent terms agreed, executed and filed before Hon'ble Supreme Court in TRANSFER PETITION (CRIMINAL) NO. 261 OF 2020. Hence, this First Informant/Respondent No. 2 wants to withdraw all the allegations against Petitioner and has no objections to quash the proceeding in R.C.C. No. 2735/2019 pending before Learned Additional Chief Judicial Magistrate. Pune."

4. Since the prayer in this petition is to quash the proceedings, it would be appropriate to give Respondent No. 2 a chance for a hearing.

5. In view of the above, issue notice to Respondent No. 2, returnable on 1st April, 2026. Mr. Amol Deshpande requests for Humdast. At his request, Humdast granted.

6. Mr Amol Deshpande requests that this matter be listed for final disposal at the admission stage.

7. Parties are hereby notified that, given the limited issue involved in this Petition and the matter already being settled before the Hon'ble Supreme Court, an endeavour will be made to decide this Petition finally at the admission stage on the returnable date.

8. List this matter on 1st April, 2026 under the caption 'For Disposal'.

(ASHWIN D. BHOBE, J.)