

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY****CRIMINAL APPELLATE JURISDICTION****WRIT PETITION (ST) NO. 9831 OF 2026**

Amit Gordhanbhai Parmar & Ors.

... Petitioners

Versus.

The State of Maharashtra & anr

... Respondents

Ms. Uma Kshirsagar Wagle, Advocate for Petitioners.

Mr. Dushyant Purekar a/w Mr. Esther Mary Mathew, Advocate for Respondent No. 2.

Ms. Shilpa Talhar, APP for Respondent – State.

Mr. Vijayanti Khambal – ASP, Bolinj Police Station, Palghar.

CORAM : ASHWIN D. BHOBE, J.

DATE : 8th MAY, 2026

P.C. :

1. Ms. Uma Kshirsagar Wagle, learned Advocate for the Petitioners, states that during the pendency of this Petition, the charge-sheet was filed. Accordingly, she seeks leave to add the details of the charge-sheet and a prayer clause to set aside the charge-sheet. This request is not opposed by Ms. Shilpa Talhar, APP



for Respondent – State and Mr. Dushyant Purekar, learned Advocate for Respondent No.2. In view of the no objection, leave is granted to add the details of the charge-sheet in the memo of Petition and a prayer clause. Ms. Uma Kshirsagar Wagle requests permission to carry out the amendment forthwith. Permission is granted.

2. Heard Ms. Uma Kshirsagar Wagle, learned Advocate for the Petitioners, Ms. Shilpa Talhar, learned APP for the State and Mr. Dushyant Purekar, learned Advocate for Respondent No. 2.

3. This Petition under Article 226 of the Constitution of India and under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNS) is filed by the Petitioners for quashing the FIR bearing No. 0050 of 2025, dated 24th February, 2025, registered with Bolinj Police Station (impugned FIR), for offences punishable under Sections 85, 115(2), 352, 351(2), and 3(5) of the BNS, 2023 and the charge-sheet bearing Criminal Case No. 966 of 2025, pending before the Metropolitan Magistrate Court at Vasai.

4. Ms. Uma Kshirsagar Wagle and Mr. Dushyant Purekar



state that the matrimonial dispute between the Petitioners and Respondent No. 2 was amicably resolved before this Court in Writ Petition No. 5005 of 2025. They refer to Exhibit – D (at pages 25 to 33), which is the order and consent terms filed in Writ Petition No. 5005 of 2025. They submit that, in view of the settlement between the parties, which was accepted by this Court in Writ Petition No. 5005 of 2025, Respondent No. 2 has given her no objection to the quashing of the criminal proceedings in her Affidavit dated 07 May 2026. They therefore request the quashing of the impugned FIR and the charge-sheet.

5. Petitioner No. 1 is present in Court. Petitioner Nos. 2, 3, 4, 5 & 6 appear through V.C. . All Petitioners are identified by their Advocate Ms. Uma Kshirsagar Wagle. She tenders the photostat copies of the Identity Cards (6 nos.) of the Petitioners, which are taken on record and marked as ‘X-Colly’ for identification.

6. Respondent No. 2 is present in Court and is identified by her Advocate Mr. Dushyant Purekar. He tenders the Photostat



copy of the Identity Card of Respondent No.2, which is taken on record and marked as “**X-1**” for identification.

7. Mr. Dushyant Purekar tenders the Affidavit dated 7th May, 2026, affirmed by Respondent No. 2 before the Notary Bidhu Panicker, Nerul (W), Navi Mumbai, which is placed on record and marked as ‘**X-2**’ for identification.

8. Respondent No. 2 states that the Affidavit (X-2) is filed 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 true to her knowledge and as per her say. Respondent No. 2 states that the matrimonial dispute is amicably settled. She further states that she and Petitioner No. 1 have decided to part ways and would apply to the Court for divorce by mutual consent. She states that, in view of the settlement, she has given her no objection in Affidavit ‘**X-2**’. She therefore requests the quashing of the impugned FIR and the criminal proceedings arising therefrom.



9. Ms. Shilpa Talhar, APP for Respondent – State, submits that, as the matrimonial dispute between the parties has been settled, Respondent No. 1 – State has no objection to the quashing of the impugned FIR and the criminal proceedings arising therefrom. She, however, insists on the imposition of costs upon the Petitioners as well as Respondent No. 2.

10. Ms. Uma Kshirsagar Wagle and Mr. Dushyant Purekar, on instructions from the Petitioners and Respondent No.2, state that appropriate costs would be paid.

11. Considering the facts mentioned hereinabove, the submissions made by learned Advocates, the matrimonial dispute between the Petitioners and Respondent No. 2 having been amicably settled and further the statements of Respondent No. 2 before this Court and in her Affidavit “X-2”, no useful purpose will be served in continuing with the criminal proceedings.

12. Having regards to the pronouncements of the Hon’ble Supreme Court in the case of Gian Singh vs State of Punjab¹,

¹ 2012 10 SCC 303



Narinder Singh and Ors vs State of Punjab and Anr², and Parbatbhai Aahir @ Parbatbhai vs The State of Gujarat³, there is no impediment in allowing this Writ Petition.

13. In view of the above, Criminal Writ Petition No. 587 of 2024 is allowed in terms of prayer clause (a) subject to each of the Petitioners paying costs of Rs.15,000/- and Respondent No.2 paying costs of Rs.15,000/- . Payment of costs is a condition precedent. Consequently, the impugned FIR and charge-sheet are quashed.

14. The Petitioners and the Respondent No. 2 shall deposit their respective costs in the Account mentioned below within four weeks from today and file the compliance affidavit, along with proof of deposit, in the Registry of this Court on or before 15th June, 2026.

**The High Court Employees Medical Welfare Fund at
Mumbai**

Account No.: 000120110001337

Bank : Bank of India

² 2014 6 SCC 466

³ 2017 9 SCC 641



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Branch : Mumbai Main

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15. Criminal Writ Petition No. 587 of 2024 is disposed of.

(ASHWIN D. BHOBE, J.)