LAXMIKANT GOPAL CHANDAN
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2026:BHC-AS:22253-DB

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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.5959 OF 2025

Shreya Anand Sankhe @ Shreya Shamraj Pathak : Petitioner
Versus.
The State of Maharashtra and anr. : Respondents

WITH
CRIMINAL WRIT PETITION NO.6252 OF 2025

Medha Shamraj Pathak : Petitioner.
Versus
The State of Maharashtra and anr. : Respondents.

WITH
CRIMINAL WRIT PETITION NO.2519 OF 2026

Sumukh Shamraj Pathak : Petitioner.
Versus
The State of Maharashtra and anr. : Respondents.

Mr. Gautam J Jain for the Petitioner in WP No.5959/2025.

Mr. Atharva Dandekar i/by Mr. Tejas Gupta for the Petitioner in WP No.6252/2025.

Mr.Hitendra Parab for the Petitioner in WP No.2519/2026.

Mr. Shirish Gupte, Senior Advocate a/w Advocates Karan Singh Rajput, Varun Thokal i/by Ms. Deepali Bagla for Respondent No.2 in all three Petitions.

Ms. Pallavi Dabholkar, APP for the Respondent/State in WP No.5959/2025.

Mr. Ameet Palkar, APP for the Respondent/State in WP No.6252/2025.

Ms. Shilpa Talhar, APP for the Respondent/State in WP No.2519/2026.

IO PI Sunil Pawar Panchvati Police Station, present.

CORAM : ASHWIN D. BHOBE, J.

DATED : 08 MAY 2026

PC:-

1. Mr. Gautam J Jain, learned Advocate for the Petitioner in Writ Petition No.5959 of 2025, Mr. Atharva Dandekar, learned Advocate for the Petitioner in Writ Petition No.6252/2025, Mr. Hitendra Parab, learned Advocate for the Petitioner in Writ Petition No.2519 of 2026, and Mr. Shirish Gupte, learned Senior Advocate for Respondent No.2 in all three Writ Petitions, submit that the subject matter of these Writ Petitions is the FIR bearing No.0349/2025 dated 12 July 2025 registered with Panchvati Police Station. They submit that the subject matter of these Petitions has been resolved amongst all the parties and therefore request that these three Petitions be taken up together and disposed of by a common order.

2. Ms. Pallavi Dabholkar, Mr. Ameet Palkar and Ms. Shilpa Talhar, learned APPs appearing for the Respondent/State in all three Writ Petitions, consent to taking up these Petitions together and disposing of them by a common order.

3. Heard learned Advocates for the parties in all three Petitions.

4. These three Petitions under Article 226 of the Constitution of India and under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 are filed by the Petitioners for quashing the FIR bearing No. 349 of 2025, dated 12 July 2025, registered with Panchvati Police Station (impugned FIR), for offences punishable under Sections 84, 115(2), 126(2), 352, 351(2), and 3(5) of the Bharatiya Nyaya Sanhita and 3(3) of the Maharashtra Prevention and Eradication of Human Sacrifice and other Inhuman, Evil and Aghori Practices and Black Magic Act, 2013.

5. Mr. Gautam J Jain, learned Advocate for the Petitioner in Writ Petition No.5959 of 2025, Mr. Atharva Dandekar, learned Advocate for the Petitioner in Writ Petition No.6252/2025, Mr. Hitendra Parab, learned Advocate for the Petitioner in Writ Petition No.2519 of 2026 and Mr. Shirish Gupte, learned Senior Advocate for Respondent No.2, submit that the subject matter of the impugned FIR is a matrimonial dispute between the Respondent No.2 and the Petitioners herein. They submit that Petitioner – Shreya Anand Sankhe (Sister-in-law of the Respondent No.2), Petitioner - Medha Shamraj Pathak (mother-in-law of the Respondent No.2) and Petitioner - Sumukh Shamraj Pathak (husband of the Respondent No.2) have resolved the matrimonial dispute with the Respondent No.2(wife of Sumukh Shamraj Pathak). They submit that in view of the resolution of the matrimonial dispute between the Respondent No.2 and the Petitioners, the Respondent No.2 has given her no objection for quashing the

impugned FIR in three separate Affidavits dated 07 May 2026. They on instructions submit that the parties have assured each other of their abiding by the settlement terms. They therefore request the quashing of the impugned FIR.

6. Shreya Anand Sankhe, the Petitioner in Writ Petition No.5959 of 2025 is present in Court and is identified by her Advocate Mr. Gautam Jain. He tenders photostat copy of Petitioner's identity card, which is taken on record and marked as "**X**" for identification.

7. Medha Shamraj Pathak, the Petitioner in Writ Petition No. 6252 of 2025 is present in Court and is identified by her Advocate Mr. Ahtarva Dandekar. He tenders photostat copy of Petitioner's identity card, which is taken on record and marked as "**X"** for identification.

8. Sumukh Shamraj Pathak, the Petitioner in Writ Petition No.2519 of 2026 is present in Court and is identified by his Advocate Mr. Hitendra Parab. He tenders photostat copy of Petitioner's identity card, which is taken on record and marked as "**X**" for identification.

9. Respondent No.2 is present in the Court and is identified by her Advocate Ms. Deepali Bagla. She tenders the Photostat copy of Respondent No.2's Identity Card separately in all the three Petitions, which is taken on record and independently marked as "**X-1**" for identification.

10. Ms. Deepali Bagla, learned Advocate for Respondent No.2, states that three separate Affidavits dated 07 May 2026, affirmed by Respondent No.2 before the Notary S. N. Dhange, Fort, Mumbai, are placed on record in these Petitions. They are independently marked as **"X-2"** for identification in the respective Petitions.

11. Respondent No. 2 states that the said 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 as per her say. She states that the complaint she filed was due to the matrimonial discord she had with the Petitioners. She states that the entire matrimonial dispute is amicably resolved. She states that she has decided to part ways with Sumukh Shamraj Pathak (husband). She states that she and Sumukh Shamraj Pathak will apply to the Court for a mutual divorce. She states that she does not want to continue with the criminal proceedings and wants to settle in life. She relies on the contents of Paragraph 6, which is the common paragraph in all three Affidavits filed by Respondent No. 3 in these Petitions and reiterates her no objection to the quashing of the criminal proceedings. Paragraph 6 of the Affidavit (X-2) is transcribed herein below in verbatim :-

> *"6. I say that without entering into the merits of the matter, and based on the consent terms dated 7th May 2026 being executed between the parties, I hereby given my No objection to the quashing of the FIR no.349 of 2024 registered at Panchvati Police Station, Nashik."*

12. Ms. Pallavi Dabbholkar, Mr. Ameet Palkar and Ms. Shilpa Talhar, learned APPs for the Respondent No.1 -State, submit that the matrimonial dispute between the parties being amicably settled, Respondent No.1 -State does not object to the quashing of the impugned FIR.

13. Considering the facts mentioned above, the submissions of the learned Advocates for the parties, the matrimonial dispute between the Petitioners and Respondent No.2 being amicably resolved, the statements made by Respondent No.2 before this Court and in her Affidavit (X-2), her decision to separate from Sumukh Shamraj Pathak (husband) and to settle in life, no useful purpose would be served by continuing the criminal proceedings.

14. Having regard 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] *and Parbatbhai Aahir @ Parbatbhai vs The State of Gujarat*[3], there is no impediment in allowing these Petitions.

15. In view of the above, the following order is passed :-

A] Criminal Writ Petition No.5959 of 2025 is allowed in terms of prayer clause (a).

B] Criminal Writ Petition No.6252 of 2025 is allowed in terms of prayer clause (a).

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1 2012 10 SCC 303
2 2014 6 SCC 466
3 2017 9 SCC 641

C] Criminal Writ Petition No.2519 of 2026 is allowed in terms of prayer clause (a) subject to Petitioner – Sumukh Shamraj Pathak paying costs of Rs. 25,000/-. Payment of costs is a condition precedent.

D] Consequently, the impugned FIR in all three Petitions is quashed.

E] The Petitioner (Sumukh Shamraj Pathak)shall deposit the 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 15 June 2026.

F] The Petitioner (Sumukh Shamraj Pathak) shall deposit the amount 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

16. All three Writ Petition Nos. 5959 of 2025, 6252 of 2025 and 2519 of 2026 are disposed of.

(ASHWIN D. BHOBE, J.)