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

CRIMINAL WRIT PETITION NO. 2857 OF 2014

Nandini Alias Prajakta Dyaneshwar Patil. ... Petitioner.

V/s.

The State of Maharashtra and Anr. ... Respondents.

Mr. Karan Bhosale i/b. Bhosale Neha Dilip for the Petitioner.
Mr. Ajay Prajapati i/b. Mr. Suresh Dubey for Respondent 2.
Mr. H.J. Dedhia, APP for the State.

**CORAM : P.V. HARDAS &
Dr. SHALINI PHANSALKAR-JOSHI, JJ.**

APRIL 22, 2015.

P.C. :-

This is essentially a Petition under Article 226 of the Constitution of India praying for issuance of a Writ of Habeas Corpus filed by the present Petitioner against Respondent No.2. The Petitioner and Respondent No.2 are husband and wife. During the pendency of this Petition several orders had been passed by us permitting access to the Petitioner to meet her children. During the course of hearing of the Petition, the learned Counsel for the parties with the consent of the parties did venture to suggestion that the dispute between the parties could be amicably settled on a reference to Mediation. Accordingly, the dispute between the parties was referred to

Mediation. A report from the Mediator has been received and the report indicates that the dispute between the parties has been amicably settled and Consent Terms have been drawn and signed by the parties as well as by their respective Counsels. We may briefly allude to the Consent Terms :-

1. Parties agree that they have settled the matter mutually in Mediation.
2. The Petitioner hereby withdraws all allegations made against Respondent No.2 and state that she has no grievances of any nature whatsoever against the Respondent No.2.
3. The Petitioner herein before Mediator submitted her apology to the Respondent No.2 and accepted her fault and promise to the Respondent No.2 that she will not commit same thing in future as well as she also assured to the Respondent No.2 husband that her parents will not interfere in their matrimonial life in future. In view thereof the Respondent No.2 agreed to reside jointly and presently she is residing with the Respondent No.2 husband since 3rd April 2015. The Petitioner also undertakes to this Hon'ble

Court to withdraw the complaint filed by her against the Respondent No.2 or his parents or relatives before Khandeshwar Police Station, New Panvel and or before any other Authority.

4. The Respondent No.2 also hereby withdraws all the allegations made against the Petitioner and also gives undertaking to this Hon'ble Court that the Respondent No.2 withdraw the Divorce Petition filed by him being No. 214 of 2014 before Civil Judge Senior Division, Panvel within 7 days from the date of filing these Consent Terms.

In the light of the fact that the dispute between the parties has been settled and the learned Counsel for the parties have also reiterated the settlement of the dispute as well as the parties themselves, Mr. Bhosale, learned Counsel for the Petitioner, on instructions from the Petitioner, who is present in Court, seeks to withdraw the Petition on account of settlement of the dispute on the basis of the Consent Terms.

Writ Petition is accordingly dismissed as withdrawn due to settlement of the dispute. In the circumstances, there shall be no order as to costs.

(DR.SHALINI PHANSALKAR-JOSHI, J.) (P.V. HARDAS, J.)