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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 911 OF 2016

Mr. Kamlesh Keshavram Varma and ors.

.. Petitioners

Vs.

State of Maharashtra and anr.

.. Respondents

Ms. Isha C. Gadi for petitioners.

Mr. K. V. Saste, APP for State.

Ms. Neha Pandey for respondent no.2.

CORAM: NARESH H. PATIL &
P. D. NAIK, JJ.

JUNE 17, 2016.

P.C.

1. Rule. Rule made returnable forthwith. Heard finally by consent of the parties.

2. Learned counsel appearing for the respondent no.2 - wife submits that the petitioner no.1 and respondent no.2 are husband and wife. There is some dispute in the Family Court going on between them. The

FIR No. 361 of 2014 for offences punishable under Sections 498-A, 326, 324, 323, 406, 504, 506(2) read with Section 34 of the IPC was registered by the Kurar Police Station, Mumbai, on the complaint filed by the respondent-wife. Subsequently the charge-sheet has been filed in the Court of Metropolitan Magistrate, 67th Court, Borivali, Mumbai vide C.C. No. 2952/PW/2015.

2. The parties have amicably settled the dispute. The learned counsel pray that Criminal Case No. 2952/PW/2015 arising out of FIR No. 361 of 2014 be quashed and set aside. After getting FIR/Criminal Complaint quashed, the matter pending before the Family Court also would be withdrawn by the parties. The petitioner no.1 - husband and respondent no.2-wife are present in court. It is informed that all other petitioners are also present in the court. They are identified by their respective counsel. Respondent No. 2 has also filed affidavit stating therein that she has no objection to quash the FIR/Criminal Case.

3. We have perused the record. In the facts of the case, we find that the FIR / Criminal Case deserves to be quashed and set aside.

4. Criminal Case No. 2952/PW/2015 pending in the Court of Metropolitan Magistrate, 67th Court, Borivali, Mumbai, arising out of FIR No. 361 of 2014 for offences punishable under Sections 498-A, 326, 324, 323, 406, 504, 506(2) read with Section 34 of the IPC registered by the Kurar Police Station, Mumbai, on the complaint filed by the respondent no.2 - wife, is quashed and set aside. Rule is made absolute accordingly.

(P. D. NAIK, J.)

(NARESH H. PATIL,J.)