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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.345 OF 2015**

Anil Ajit Mansure and Ors. ... Applicants

Vs.

State of Maharashtra and Anr. ... Respondents

Mr. Deepak Pandey for the Applicants.
Dr. F.R. Shaikh, APP for the Respondent No.1.
Mr. D.S.G. Rodrigues for the Respondent No.2.

**CORAM : A.S. OKA &
P. D. NAIK, JJ.**

DATE : 26th APRIL, 2016

PC.

1 Rule. The learned APP waives service for the first Respondent. The learned counsel appearing for the second Respondent waives service. Forthwith taken up for final disposal. The first applicant and the second respondent are husband and wife. The prayer in this application under Section 482 of the Code of Criminal Procedure, 1973 (for short "Cr.P.C.") is for quashing the FIR alleging commission of offences punishable under Sections 498(A), 323, 504, 506 r/w 34 of the Indian Penal Code, 1860.

2 The second respondent has tendered an affidavit affirmed today. It records that the first applicant and the second respondent have settled and resolved all the their disputes and now they are staying together peacefully along with their children. Both the first applicant and the second respondent are present in the Court who confirm the said fact.

3 The matrimonial dispute between the first applicant and the second respondent led to registration of FIR. Now, there is a complete settlement in the matrimonial dispute. The second respondent in her affidavit has stated that she has no objection for quashing criminal proceedings. In fact, by letter dated 10th April, 2015, the second respondent has already informed the Senior Inspector of Police R.A. Kidwai Marg Police Station that the dispute has been settled and she does not wish to prosecute her complaint any further.

4 In view of the settlement between the husband and wife, this is a fit case where in the light of the law laid down by the Apex Court in the case of Gian Singh Vs. State Bank of Punjab¹, powers under Section 482 of the Criminal Procedure Code, 1973 should be exercised. Accordingly, we pass the following order :-

1 (2012) 10 SCC 303

ORDER

- (i) Rule is made absolute in terms of prayer clause (a) which reads thus :-

“(a) That the Hon'ble Court may be pleased to quash and set aside the C.R.No.I-00 of 2015, dated 12/02/2015, registered at Nashik Suburban Police Station, and subsequently transferred and registered as C.R.No.115 of 2015, before R.A. Kidwai Marg, Police Station, Mumbai for offences u/s.498(a), 323, 504, 506 & 34 of I.P.C. against the Applicants on such terms and conditions as this Hon'ble Court may deem fit to grant in the circumstances of the case.”

- (ii) All concerned to act upon an authenticated copy of this order.

(P. D. NAIK, J)

(A.S. OKA, J)