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

CRIMINAL APPLICATION NO.779 OF 2016

Chandan Samant

...Applicant

Versus

The State of Maharashtra and Ors.

...Respondents

Mr.Abdul Kader Millwala, for the Applicant.

Ms.P.P.Shinde, A.P.P for the Respondent-State

Mr.M.H.Chaudhary, for the Respondent Nos.2 to 5.

CORAM : REVATI MOHITE DERE, J.

DATE : 24th AUGUST, 2016

P.C. :

1. Heard learned Counsel for the applicant, learned counsel for the respondent nos.2 to 5 and the learned A.P.P.

2. Learned Counsel for the applicant and learned counsel for the respondent nos.2 to 5 states that the parties have amicably settled the

dispute and have filed Consent Terms in the Family Court at Bandra, Mumbai in Petition No.A-1266 of 2010. The said Consent Terms are on page 12 of the application. The said Consent Terms are filed for obtaining divorce by mutual consent. Clause – 6 of the Consent Terms reads thus:-

“6. After depositing full amount of maintenance both parties undertake before the court that they will withdraw/quash/dispose of the criminal complaints/cases filed against each other as mentioned in the list attached herewith or shall not prosecute further in those cases. Both the parties extend their co-operation for above said process.”

4. Learned counsel for the applicant states that the respondent no.2 had also filed an application in this Court being Criminal Application No.596 of 2016, by which this Court was pleased to quash the four proceedings initiated by the applicant therein- Deepali Chandan Samant (respondent No.2 herein), in view of the Consent Terms filed by the parties.

5. Perused the Consent Terms. In view of the Consent Terms filed by the parties, in the interest of justice, the proceedings pending before the learned Metropolitan Magistrate, 22nd Court at Andheri, Mumbai are

quashed and set aside.

6. The Application is accordingly disposed of.
7. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.