

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPEALTE SIDE

CRIMINAL APPLICATION NO.1047 OF 2016

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Mrs.Bhaduri Rajesh Dhuri	...Applicant
v/s.	
The State of Maharashtra and anr.	...Respondents

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Ms.Shreedevi Avdhut Barbhai for the Applicant.
 Ms.M.H.Mhatre, APP for the Respondent No.1.
 Mr.Krishna N.Kore for the Respondent No.2.

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CORAM : A.S.OKA &
A.A. SAYED, JJ.

DATED : 21 SEPTEMBER 2016

P.C.:

(Not on Board. Taken on Board.)

Rule. Learned APP waives service for the first Respondent.
 Learned Counsel appearing for the second Respondent waives service.
 Forthwith taken up for final disposal.

2. The prayer in this Application under section 482 of the Code of Criminal Procedure, 1973 (for short "CrPC") is for quashing the First Information Report lodged at the instance of the Applicant alleging commission of offences punishable under section 504, 506 and 509 of the Indian Penal Code. The Applicant and the second Respondent have signed the consent terms dated 19 September 2016. Both of them are personally present in the Court. Through their Advocates they accept the correctness

of the contents of the consent terms. The consent terms are taken on record and marked "X-1" for identification.

3. The second Respondent has filed a separate Affidavit recording consent. All the three offences complained of are compoundable. In view of the undertaking by the second Respondent, incorporated in the consent terms, this is a fit case to exercise the power under section 482 of CrPC, especially when the second Respondent has undertaken not to interfere with the personal or official life of the Applicant and not to harass the Applicant. The second Respondent has also given an undertaking not to visit the vicinity of the area of residence or office of the Applicant. We accept the undertakings.

4. Hence, we pass the following order:

ORDER

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

(a) It is therefore prayed that this Hon'ble Court may be pleased to quash the present FIR lodged by the Applicant at the Kasturba Marg Police Station, Borivali, Mumbai vide FIR No.299/16 and pass such other order or orders may deem fit and proper in the circumstances of the case;

(A.A. SAYED, J.)

(A.S.OKA, J.)