

Anand

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

CRIMINAL REVISION APPLICATION NO.425 OF 2015

Girish Shradhanand Umbarje & ors. .Applicants

Vs.

Mrs.Rupali alias Priya Girish .Respondents
Umbarje & anr.

Mr.S.G.Kudle, Advocate, for the Applicants
Mr.S.S.Koregave, Advocate, for the Respondent
No.1
Mr.A.S.Shitole, APP, for the Respondent No.2 –
State

CORAM : REVATI MOHITE DERE, J.

DATE : 20.06.2016

P.C.

. Learned counsel for the Applicants and the learned counsel for the Respondent No.1 state that parties have amicably settled their dispute. Learned counsel for the Applicants has tendered the Consent Terms entered into by the Applicants and the Respondent No.1. The Same are taken on record and marked as "X" for identification. The Applicant No.1 – Mr.Girish Umbarje and the Respondent No.1 – Mrs.Rupali

Umbarje are present in the Court today. They have been identified by their respective counsels. They have also identified their signatures on the Consent Terms. From Clause No.2 of the Consent Terms, it appears that parties have amicably settled the matter and have obtained a decree of divorce under Section 13-B of the Hindu Marriage Act which was filed in the Family Court, Solapur. The Respondent No.1 has agreed to settle the matter for full and final settlement of Rs.7,00,000/-. It is stated that she has received a sum of Rs.3,52,500/- + Rs.97,500/- till date and that she has also received eight tolas of Gold from the Applicant No.1. As far as Rs.2,50,000/- which is deposited in the Registry of Ichalkaranji Court pursuant to an order passed by this Court in the aforesaid Revision Application. It is agreed in the Consent Terms that the Respondent No.1 will withdraw the said amount of Rs.2,50,000/- and the Applicant No.1

will have no objection to the withdrawal of the said amount.

2. In view of the Consent Terms which are taken on record, the impugned Judgment and Order passed by the learned Additional Sessions Judge, Ichalkaranji dated 29.08.2015 in Cri.Appeal No.39 of 2014 and the impugned Judgment and Order passed by the learned Judicial Magistrate F.C., Court No.3, Ichalkaranji dated 15.07.2014 in Cri.Misc. Appln.No.38 of 2013 are quashed & set aside. The Applicants are acquitted of the offence with which they are charged.

3. Accordingly, the Revision Application is allowed & disposed of on the aforesaid terms & conditions.

Parties to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)