

**FARAD CONTINUATION SHEET  
IN THE HIGH COURT OF JUDICATURE AT BOMBAY,  
NAGPUR BENCH : NAGPUR.**

**CRIMINAL APPLICATION (apl) No. 10 OF 2016**

Sau. Santosh Mahesh Shrivastava & ors.

v.

The State of Maharashtra

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Office Notes, Office Memoranda of Coram  
appearances, Court's orders or directions  
and Registrar's orders.

Courts's or Judge's orders

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**Coram : B.P .Dharmadhikari and  
V.M.Deshpande, JJ.**

**Date : 06<sup>th</sup> JANUARY, 2016**

Joint application is filed by applicant no. 1 and her in-laws, i.e. applicants 2 to 6, under Section 482 of Code of Criminal Procedure for quashing of R.C.C. No. 1640/13 which is pending against applicants 2 to 6 in Court No. 1, J.M.F.C. Nagpur. It is the outcome of F.I.R. No. 65/13 dated 08.3.2013. Offences registered are under Sections 498-A and 406 read with Section 34 of Indian Penal Code.

Advocate P.R. Singh (from Mumbai) has appeared with applicant no. 1. Advocate U.J. Deshpande has appeared for applicants 2 to 6 and learned APP has appeared for non-applicant/State. He points out that as the matter has been taken on board, he has no instructions.

Parties are identified by their respective counsel. We have also questioned applicant no. 1 generally.

It is not in dispute that Marriage Petition No. A-379 of 2014 filed by applicant no. 2 in the Family Court at Bandra, Mumbai, has been compromised and consent terms as agreed by the parties on 03.11.2015 were signed before the Marriage Counsellor of that Family Court. Parties state that accordingly mutual obligations cast by those consent terms have been discharged and the marriage petition has now been converted into one for grant of Divorce by mutual consent. Parties, therefore, state that accordingly the proceedings in R.C.C. No. 1640/13 should also be quashed and set aside. Applicant no. 1 states that she has received back everything and hence the facts giving rise to the offence under Section 406 of Indian Penal Code also do not survive.

In view of this joint statement, we make Rule absolute in terms of prayer clause (i). Accordingly, R.C.C. No. 1640/13 and F.I.R. No. 65/13 dated 08.3.2013 registered at police station Nandanvan, Nagpur, are quashed and set aside.

**JUDGE**

**JUDGE**

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