

ssp

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELATE JURISDICTION
CRIMINAL APPLICATION NO.301 OF 2016

Suhasini Keshav Salvi & Ors. ...Applicants
vs.
The State of Maharashtra & Anr. ...Respondents

Ms Sonal Parab i/b Rajeev Sawant & Associates for
the applicants
Dr.F.R.Shaikh, APP for the respondent No.1
Mr.Sachin Deokar i/b Mr.Viresh Purwant for
respondent No.2

CORAM : A.S.OKA, &
SMT.ANUJA PRABHUDESSAI, JJ.
DATE : MARCH 23, 2017

P.C.:

1 Rule. The learned APP waives service for the first respondent. The learned counsel 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 offence registered under sections 498(A), 506 read with section 34 of the Indian Penal Code and sub section 2 of section 3 of the Maharashtra Prevention and Direction of Human Sacrifice and Black Magic Act, 2014.

3 The second respondent has tendered an affidavit along with the consent terms. The consent terms have been signed by the second respondent as well as by her husband Aditya Salvi. The first two applicants in this application are the parents of

the husband of the second respondent and the third applicant is the sister of the husband. The fourth applicant is the husband of the third applicant.

4 The consent terms record a complete settlement of the matrimonial dispute. A petition under section 13-B of the Hindu Marriage Act, 1955 has been filed by the second respondent and her husband. A sum of Rs.4,00,000/- is already paid by the husband to the second respondent. In view of the settlement, the second respondent has given no objection for quashing the proceedings. We find that the matrimonial dispute between the second respondent and her husband led to registration of the FIR. Now, there is a complete settlement of the matrimonial dispute. Accordingly, a case is made out to exercise power under section 482 of the CrPC.

5 Hence, we pass the following order :

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

(a) That this Hon'ble Court be pleased to quash and set aside the FIR vide C.R.No.I-310 of 2015 registered with Kapurbavadi Police Station by the respondent No.2 against the applicants on such terms and conditions as this Hon'ble Court may deem fit and proper."

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

(ANUJA PRABHUDESSAI, J.)

(A.S.OKA, J.)