

Criminal Case No. 799/PW/2017. Petitioner No. 4 was husband of respondent No.2 - original complainant. Petitioners No. 1 & 2 are parents of petitioner No.4. Petitioner No. 3 is the brother of petitioner No.4.

3. Heard learned Counsel for the petitioners - original accused Nos. 1 to 4, learned Counsel for the respondent No.2 - original complainant and learned APP for the State.

4. The complainant i.e. respondent No.2 is present before the Court. She has stated that FIR was lodged on account of matrimonial dispute and the parties have now amicably settled the dispute. She has already given divorce to petitioner No.4. The case filed by her under the Protection of Women from Domestic Violence Act, 2005 against the petitioners is also disposed of. She has stated that parties have agreed to resolve the matter amicably and she has decided not to pursue the FIR and proceedings relating thereto. She has further stated that she has consented for quashing of the said FIR and proceedings

relating thereto. She has also tendered affidavit to the said effect. Petitioner No.4 has handed over Demand Draft of Rs.6 lakhs having No. 038307 dated 04/01/2018 drawn on HDFC Bank, Mohamed Ali Road Branch, Mumbai to respondent No.2. The said Demand Draft is in the name of respondent No.2. She acknowledges the receipt of the same. Copy of the Demand Draft is also taken on record along with her Aadhar Card. They along with affidavit are marked 'X' collectively for identification.

5. Looking to the fact that it is a matrimonial dispute and it has been amicably settled between the parties, we are of the opinion that the said case can be quashed in view of the decision of the Supreme Court in the case of **Gian Singh Vs. State of Punjab and anr. (2012) 10 SCC 303**. Looking to the above fact, C.R. No. 58/2016 of Sir J.J. Marg Police Station and proceedings relating thereto are quashed.

6. Rule is made absolute in the above terms.

(M.S.KARNIK, J.)

(ACTING CHIEF JUSTICE)