

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

CRIMINAL WRIT PETITION NO.3720 OF 2017

Manoj Maganlal Gupta and ors. : Petitioners.
Versus
The State of Maharashtra and anr. : Respondents.

Mr. Ashok Kumar Dubey for the Petitioners.
Mr. K V Saste, Addl.PP for the Respondent/State.
Mr. Sanjay S Patil for the Respondent No.2.
Mr. S R Phanse for the Respondent No.2 appointed through Legal Aid present.

**CORAM : R. M. SAVANT &
REVATI MOHITE DERE, JJ.**
DATE : 12th JULY 2018

P.C.

1 Leave to amend is granted so as to incorporate the case number in prayer clause (b) of the above Writ Petition. Amendment to be carried out forthwith.

2 By our order dated 19/06/2018 passed in the above Writ Petition, the Consent Terms which were filed by the parties have been referred to, however, passing of the final order in so far as the above Writ Petition is concerned was deferred as there was to be a compliance of a part of the said Consent Terms in the matter of parties obtaining divorce by mutual consent and the Respondent No.2 consequentially becoming entitled to the payment of Rs.10,00,000/- by way of full and final settlement in respect of her claim for permanent alimony., the hearing of the above Writ Petition was therefore

deferred till 10/07/2018. We are now informed by the learned counsel for the parties that a decree of divorce was passed on 06/07/2018 by the 6th Family Court, Bandra, Mumbai as a consequence of which the Respondent No.2 herein has been paid the amount of Rs.10,00,000/- by a Demand Draft by the Petitioner No.1 who was her husband.

3 The Respondent No.2 is personally present in Court. When put in the box and queried she accepts the factum of having received the amount of Rs.10,00,000/- from the Petitioner No.1.

4 In the light of the said facts as also having regard to the fact that the Consent Terms are complied with in their entirety, there is now no warrant to keep the above Writ Petition pending. The above Writ Petition would accordingly stand allowed and made absolute in terms of prayer clause (b). The Petitioner No.1 to deposit costs of Rs.10,000/- with the State Legal Aid Fund within six weeks from date. Receipt to be obtained and filed in the Registry of this Court. The Respondent No.2 also to deposit costs of Rs.10,000/- with the State Legal Aid Fund within six weeks from date. Receipt to be obtained and filed in the Registry of this Court. The above Writ Petition is accordingly disposed of.

[REVATI MOHITE DERE, J]

[R.M.SAVANT, J]

Laxmikant
Gopal Chandan
lgc

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Laxmikant Gopal Chandan
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