

Sharayu Khot.

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

WRIT PETITION NO. 5077 OF 2018

Salman Arif Shaikh & Ors.

...Petitioners

Versus

The State of Maharashtra & Anr.

...Respondents

Ms. Siddhi Bhosale, i/by Mr. S.R. Phanse, for the Petitioners.

Mr. Kamlesh Y. Mali, for the Respondent No. 2.

**CORAM : B.R. GAVAI &
RIYAZ I. CHAGLA, JJ.**

DATE : 20 December 2018

ORDER :

1. Ms. Siddhi Bhosale, the learned Counsel appearing for the Petitioner, seeks leave to bring on record as Respondent No. 2, Afreen M.A. Khan. Amendment to be carried out

forthwith.

2. Rule. Rule made returnable forthwith.

3. Heard by consent.

4. The Petitioner has approached this Court for quashing and setting aside the First Information Report for offences under Section 498-A, 406, 377, 354, 323, 504, 506 read with Section 34 of Indian Penal Code.

5. The Petitioners are husband, father-in-law and mother-in-law of Respondent No. 2 respectively.

6. The Petitioner and Respondent No. 1 married each other on 16th July 2017. However, it appears that soon after marriage, there arose matrimonial dispute between the parties. As a result of which, the Respondent No. 2 lodged the First Information Report for the aforesaid offences.

7. However, during the pendency of the proceedings, the matter has been amicably settled between the parties. It is thus, been agreed that the Petitioner No. 1 will pay Rs. 7,00,000/- by Demand Drafts to the Respondent No. 2. The said Demand Drafts are handed over by the learned Counsel appearing for the Petitioners to the learned Counsel appearing for the Respondent No. 2.

8. Petitioners No. 2 and 3 as well as Respondent No. 2 are personally present in the Court and reiterate the above settlement.

9. The Apex Court in *B.S. Joshi & Ors. Vs. State of Harayana & Anr.*¹ has held that if the parties settle their matrimonial dispute amicably, the Court should exercise the powers under Section 482 to give end to the criminal proceedings.

¹ (2003)4 SCC 675

10. In that view of the matter, we are inclined to allow the Writ Petition.

11. Rule is therefore, made absolute in terms of the prayer clause (a).

[RIYAZ I. CHAGLA J.]

[B.R. GAVAI, J.]