

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

WRIT PETITION NO.5404 OF 2019

Narendra Vitthal Vanmore

...Petitioner

vs.

The State of Maharashtra and Anr.

...Respondents

Mr. Dilip B. Shinde for the Petitioner.

Mr. K. V. Saste, APP for the Respondent/State.

Mr. R. M. Haridas for the Respondent No.2.

**CORAM : B. P. DHARMADHIKARI &
N.R. BORKAR , JJ.**

DATE : 05/12/2019.

PC.:

. The petitioner is present with his advocate.
Complainant(respondent No.2) is present with her victim brother.

2. Complainant and her brother have filed separate affidavits giving no objection for quashing of FIR. It appears that complainant is staying separately and proceeding for grant of decree of divorce by mutual consent is also pending.

3. Injured victim brother has stated in Court that after deliberations in family and in the interest of sister, decision to give no objection to withdraw the petition has been taken.

4. In view of this development and as parties state that they have no criminal antecedents we are inclined to quash and set aside the FIR.

5. Learned APP has submitted that the offence is of grave and serious nature and against public. Though offence appears to be grave and serious in nature it is arising essentially out of matrimonial discord and parties have settled that discord therefore nothing fruitful will come out of prosecution. Therefore we make Rule absolute in terms of prayer clause (a). Consequently the Charge-sheet No.11/2019 and further proceeding is also quashed and set aside.

(N. R. BORKAR, J.)

(B. P. DHARMADHIKARI, J.)