

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

CRIMINAL APPLICATION NO. 5 OF 2019

Mr. Amol Sadashiv Shete & Ors. **... Applicants**

V/s.

Madhupriya Amol Shete & Ors. **... Respondents**

Mr. Mateen Abdul Shaikh for the Applicants.
Mr. Addeba Khan for the Respondent.
Smt. S.D. Shinde, APP for Respondent State.
PSI Mangesh Khade, attached to Vakola Police Station present.

**CORAM : B.P.DHARMADHIKARI, &
REVATI MOHITE DERE, JJ.**
DATE : 25th JANUARY, 2019

P.C.:

1. Applicants are present with their Advocate. Complainant Respondent No.1 is also present with her Advocate. APP appears for Respondent Nos. 2 and 3.
2. Respondent No.1 and Petitioners jointly request for quashing of FIR under Sections 498A, 406, 34, 506(2) IPC and Criminal Case No. 54/PW/2016 on the file of 72th Metropolitan Magistrate, Vikroli, Mumbai.
3. It appears that consent terms are already filed in M.J. Petition No. A-727 of 2018 on the file of 5th Family Court at Bandra, Mumbai and the said proceeding for dissolution of marriage by mutual

consent is pending. Out of permanent alimony of Rs.8,50,000/- settled between parties, Respondent No.1 has received 50% amount.

4. Respondent No.1 has tendered an affidavit on record accepting this position and requesting the Court to quash the FIR and criminal case.

5. In this situation, accepting joint request, we make rule absolute in terms of prayer clause (b).

(REVATI MOHITE DERE, J.)

(B.P.DHARMADHIKARI, J.)