

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

WRIT PETITION NO.4151 OF 2019

Ubaid Mohammed Ibrahim Pettiwala and Anr. ...Petitioners
Vs.
The State of Maharashtra and Anr. ...Respondents

**WITH
WRIT PETITION NO.5707 OF 2019**

Smt. Samreen Ubaid Petiwala ...Petitioner
Vs.
The State of Maharashtra and Anr. ...Respondents

Ms. Naziya M. Bhaldar for the Petitioner in WP/5707/2019.
Mr. Prashant Pandey for the Petitioners in WP/4151/2019 and for
Respondent No.2 in WP/5707/2019.
Mr. Deepak Thakre, PP Mr. K.V. Saste, APP for the Respondent – State.

**CORAM : B. P. DHARMADHIKARI &
SMT. SADHANA S. JADHAV, JJ.**

DATE : 26th NOVEMBER 2019.

PC.:

1 Petitioners in Writ Petition No.4151 of 2019 seeks relief of quashing of FIR No.69 of 2019 registered under sections 498A, 406, 354A, 509, 506(2), 323, 504 r/w 34 IPC on complaint of Respondent No.2.

2 Writ Petition No.5707 of 2019 is filed by above mentioned Respondent No.2 for quashing of FIR No.771 of 2018 filed against her by her mother-in-law under section 338 of IPC.

3 Both these matters are taken up together since parties have
settled the matrimonial discord amicably.

4 The learned APP appears for the State Government in both
matters.

5 In Writ Petition No.4151 of 2019 memorandum of
understanding/ settlement agreement has been filed. It is signed by the
complainant as also other side.

4 In Writ Petition No.5707 of 2019 similar document has been
filed which is signed by the complainant in that matter as also petitioner in
that matter.

5 During the hearing we find that marriage of complainant
Samreen with Ubaid is stated to be dissolved as per Shariya law and
“FASQ” has already been allowed.

6 Samreen present in Court does not dispute these developments
and has given her no objection. Upon Court question she informs that her
father Nasir Sayyed is accompanying her in Court. In this situation,
accepting the joint request, we make Rule absolute in terms of prayer
clause (a) in Writ Petition No.4151 of 2019 and prayer clause (B) in Writ
Petition No.5707 of 2019. Both petitions are disposed of.

(SMT. SADHANA S. JADHAV, J.)

(B. P. DHARMADHIKARI, J.)