

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CRIMINAL APPELLATE JURISDICTION**  
**WRIT PETITION NO. 4302 OF 2018**

Vikas Murlidhar Talavnekar and anr. ... Petitioners

Versus

The State of Maharashtra and anr. ... Respondents

Mr. Jigar Agarwal a/w Mr. Babu Singh i/by Mr. Arun Atwal for the petitioners.

Mr. Onkar Warange for respondent no. 2.

Mr. S.S. Pednekar, APP for respondent State.

**CORAM : B.P. DHARMADHIKARI &  
NITIN W. SAMBRE, JJ.**  
**DATE : DECEMBER 03, 2019**

**P.C.:**

This petition is for quashing of prosecution. Parties to the petition are present in Court and are identified by their respective counsel. Petitioner is facing prosecution for the offences under sections 498A, 406, 34 IPC in Crime No. 116 of 2015.

2. Petitioner no. 1 has tendered affidavit in this court dated 03/12/2019. Paragraph nos. 3, 4 and 5 thereof reads as under :

*“3. I said that pursuant to said consent terms the petitioners have approached this Honorable High Court by way of this Writ Petition for quashing. I say that, during the hearing of the Writ*

*Petition the Petitioner no. 1 is ready and willing to amend the Consent Terms by enhancing the maintenance amount payable to minor child of Petitioner no. 1 and Respondent no. 2.*

*4. I say that the Petitioner no. 1 has now offered that from now onwards I will pay an amount of rupees 6000 per month to the minor Yash instead of rupees 5000 per month as per consent terms dated 12-7-2018 filed in the Honorable Family Court at Bandra in Petition No. A 1251/2015 between me and my wife.*

*5. I undertake to pay 6000 rupees per month to my child as maintenance instead of rupees 5000 between me and my wife in consent terms filed before Family Court Bandra, Mumbai."*

The affidavit is taken on record and marked "X" for identification.

3. Respondent wife is present in the Court and extend consent in acceptance of the said terms.

4. In the aforesaid backdrop, respondent wife extends her consent for allowing the petition in terms of prayer clause (a).

5. In view of the same, we dispose of the petition in terms of prayer clause (a).

**(NITIN W. SAMBRE, J.)**

**(B.P. DHARMADHIKARI, J.)**