

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 2894 OF 2015

Mr. Dhiraj Vinod Aggrawal ... Petitioner

Versus

The State of Maharashtra and Ors. ... Respondents

ALONG WITH
WRIT PETITION NO. 4159 OF 2019

Mr. Aditya Vikram Shah and Ors. ... Petitioners

Versus

The State of Maharashtra and Ors. ... Respondents

Adv Siddh Vidya a/w Mr. Mukesh Gupta and Ms. Sneha Jain for the petitioner in WP No. 2894 of 2015 and for respondent no.2 In WP No. 4159 of 2019.

Mr.Omprakash Dubey for the petitioners in WP No. 4159 of 2019.

Mr. K.V. Saste, APP for the State in WP No. 2894 of 2015.

Smt. Aruna Pai, App for the State in WP No.4159 of 2019.

CORAM : B.P. DHARMADHIKARI &
NITIN R. BORKAR, JJ.
DATE : FEBRUARY 07, 2020

P.C.:

Respondent no.2 in WP No. 4159 of 2019 is complainant in FIR registered under sections 498A, 406, 504, 506 read with 34 IPC against the petitioners therein. Petitioner no.1 is the

husband. Petitioner nos. 2 and 3 are his parents and petitioner no. 4 is his sister.

2. Petitioner no. 4, sister of petitioner no. 1 has filed FIR on the basis of which crime under sections 452, 354 of IPC came to be registered against the brothers of respondent no.2 complainant/wife. One brother has approached this court in Criminal Writ Petition No. 2894 of 2015 for quashing it.

3. Learned APP appears for the State Government in both the matters.

4. The dispute between the parties is arising out of the matrimonial discord. In Petition No.A-1232 of 2015 on the file of the Family Court at Bandra between the husband and wife supra, consent terms have been tendered on 13/7/2019. The parties are accordingly getting their marriage dissolved by mutual consent.

5. Out of total amount of Rs.25 lacs, wife has already received Rs.9.75,000/- and the balance amount of Rs.15,25,000/- is to be paid to her at the time of passing of decree of divorce by the Family Court.

6. The ornaments of respondent no.2 wife are already received back by her. The ornaments in the custody of police are to be received back by her inlaws i.e. petitioners in WP No. 4159 of 2019. Respondent no.2 wife has in court orally accepted the

consent terms and given no objection. The complainant in the other matter has also given no objection.

7. In view of these developments and joint request, we make the rule absolute in terms of prayer clauses (a) and (b) in WP No. 4159 of 2019 and prayer clause (a) of Writ Petition No.2894 of 2015.

(NITIN R. BORKAR, J.)

(B.P. DHARMADHIKARI, J.)