

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

Amk

CRIMINAL APPLICATION NO. 1798 OF 2019
WITH
CRIMINAL APPLICATION NO. 1810 OF 2019

Swatesh Devisevak Singh s/o Devisevak
Amir Singh .. Applicant
Vs.
Priya Swatesh Singh & Anr. .. Respondents

WITH
WRIT PETITION NO. 4787 OF 2019

Priya Sing W/o Swatesh Singh .. Petitioner
Vs.
The State Of Maharashtra & Anr .. Respondents

Mr. Dharmendra Rohra for the Applicant.
Ms. Usha Tiwari for Respondent No.1/Petitioner.
Mr. Sooraj S. Hulke, APP and Mr. K. V. Saste, APP for the Respondent State.

CORAM : B. P. DHARMADHIKARI, A.C.J. &
N.R. BORKAR, J.
DATE : 28th FEBRUARY, 2020.

P.C. :

1. Rule. By consent, Rule made returnable forthwith and heard finally.
2. Out of matrimonial discord between the Petitioner and Respondent No.1 in Criminal Application No. 1798 of 2019 two FIRs were registered; one dated 23.05.2018 is under Sections 66-B and 72 of the Information Technology Act, 2000 while the other dated

20.05.2017 is under Sections 498-A, 406 read with Section 34 of the IPC.

3. Writ Petition No. 4787 of 2019 is filed by Respondent No.1 assailing order dated 08.07.2019 passed by Sessions Court, Thane discharging one of the accused persons in FIR dated 20.05.2017. That Petition is not on board and on joint request it is taken on board and is being disposed of by this order.

4. The parties have amicably settled the controversy and accordingly Consent Terms were filed in Criminal Case No. 79/DV/2017 in the Court of JMFC, Kalyan.

5. It is not in dispute that the parties have also approached Family Court, Thane in Marriage Petition No. 380 of 2017 and they are getting marriage dissolved under Section 13-B of the Hindu Marriage Act.

6. Respondent No.1-wife accepts the settlement. She has also tendered affidavit giving no objection and orally also she has given no objection.

7. In view of these developments and joint request, we make Rule absolute in terms of prayer Clause (a) in both the applications.

8. Both the Criminal Applications and Writ Petition are disposed of accordingly.

9. Advocate Usha Tiwari is permitted to file Vakalatnama for Respondent-wife during the course of the day.

[N. R. BORKAR, J.]

Arjun
M.
Kadam

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[ACTING CHIEF JUSTICE]