

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

WRIT PETITION NO. 5120 OF 2019

Vijay Bulakhi Pawar

...Petitioner

Vs.

The State of Maharashtra and Anr.

...Respondents

Mr. Dilip Shinde for the petitioner.
Mr. F.R.Shaikh, APP for the State.
Mr. Sumit Khaire for respondent No.2.

**CORAM : B. P. DHARMADHIKARI &
N.R.BORKAR, JJ.**

DATE : 16TH JANUARY, 2020.

P.C.:

Petitioner/husband and respondent No.2/wife are before this Court with a joint request for quashing FIR dated 31st August, 2019 under Section 376, 498-A of Indian Penal Code. They have entered into Consent Terms on 6th September, 2019 and accordingly are residing separately. petitioner/husband has paid Rs.2,75,000/- to respondent No.2/wife, which she admits before this Court. She also states that balance amount of Rs.4,25,000/- is to be paid as per Consent Terms No.4 and 5.

2. Parties have decided to file proceedings for Divorce after expiry of period of one year.
3. Learned APP for State submits that time of Police and public money has been lost in the matter.
4. As nothing fruitful will come out of prosecution, we are inclined to intervene.
5. Subject to petitioner paying amount of Rs.5,000/- as cost to Police Welfare Fund of State of Maharashtra within two months from today, we make rule absolute in terms of prayer clause (a).

(N. R. BORKAR, J.)

(B. P. DHARMADHIKARI, J.)