

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 5514 OF 2018**

Manish O. Verma and anr. ... Petitioners
V/s.
The State of Maharashtra and anr. ... Respondents

Mr. Prosper D'Souza for the Petitioners
Shri. S.R. Shinde, APP for the Respondent – State.
Mr. Saurabh Oka for Respondent No.2.

**CORAM : B.P. DHARMADHIKARI &
N.R. BORKAR, JJ.
DATE : JANUARY 21, 2020.**

P.C.

1] After some consideration on last date of hearing, the matter came to be adjourned today.

2] Petitioner No.1 (ex-husband of respondent No.2) and petitioner No.2 have filed an affidavit undertaking to shoulder 50% educational expenses of daughter Riya in local College. In addition, they have also agreed to pay 50% expenses of her marriage.

3] The marriage between parties has been dissolved after recording consent terms which forms part of decree dated 10th August 2016 in Marriage Petition No. 151 of 2013. There petitioner No.1 -Manish O. Verma only had undertaken to shoulder all educational expenses. There was no provision made for marriage expenses of Riya.

5] In view of this readiness and willingness shown by both the petitioners to support Riya during her education and her marriage and in view of no objection given by respondent No.2 in Court today, we accept joint affidavit of both the petitioners as undertaking to this Court. That joint affidavit is marked as "Exhibit-A" for ready reference.

6] Respondent No.2 has to appear in R.C.C. No. 336 of 2014 in J.M.F.C. Court at Navi Mumbai on 11th February 2020. Both parties shall remain present on that date, so that the said defamation case can be withdrawn by petitioner No.2.

7] Accordingly, with these directions and modifications, we quash and set aside FIR No.I/104/2010 as also R.C.C. No. 971 of 2010 pending on the file of J.M.F.C., CBD, Belapur.

8] Accordingly, the petition is disposed of.

(N.R. BORKAR, J.)

(B.P. DHARMADHIKARI, J.)