

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 419 OF 2021**

Nikhil Nandkumar Kudapane

and ors.

... Applicants

V/s.

The State of Maharashtra

and anr.

... Respondents

Mr. Deepak C. Salvi for the Applicants.

Mr. Deepak Thakre, PP a/w. Mrs. Sangeeta D. Shinde, APP for the Respondent No.1- State.

Mr. Govind Ghogre for Respondent No.2.

Ms Apeksha Pingle, Respondent No.2 (Apeksha N. Kudapane) present through VC and interacted.

**CORAM : S.S. SHINDE &
 N.R. BORKAR, JJ.**

**DATE : MAY 25, 2021.
 (VACATION COURT)**

P.C.

1] By the present application under section 482 of Cr.P.C., the applicants have prayed for quashing of First Information Report (for short "FIR") bearing C.R. No. 10 of 2021 dated 06.01.2021 registered by Malad Police Station for the offence punishable under sections 498-A, 323, 504 read with 34 of the Indian Penal Code, 1860 (for short "IPC") and under sections 3 and 4 of Dowry Prohibition Act, 1961.

2] The respondent No.2 has lodged the aforementioned FIR against the present applicants. The respondent No.2 was married to the applicant No.1 on 18.2.2018. The applicant Nos.2 and 3 are the mother-in-law and brother -in-law of the respondent No.2. She has alleged cruelty at the hands of the applicants so also demand of dowry by them.

3] The applicants and respondent No.2 - Mrs. Apeksha Nikhil Kudapane are present before the Court through video conferencing. The respondent No. 2 has filed the consent affidavit dated 7.5.2021, in which, she has stated that they have mutually settled the dispute. She does not have any claim pending against the applicants. The respondent No.2 has further stated that she has no objection to quash the FIR in-question against the applicants. The consent affidavit is taken on record and marked as 'X' for the purpose of identification.

4] We have perused the FIR in-question. The allegations in the FIR are totally personal in nature. Considering the facts and circumstances, in our view nothing fruitful will come out

of the prosecution in-question. In the result, the following order is passed.

ORDER

A] Criminal Application is allowed.

B] First Information Report bearing C.R. No. 10 of 2021 dated 6.1.2021 registered by Malad Police Station, for the offence punishable under sections 498-A, 323, 504 read with 34 of the Indian Penal Code, 1860 and under sections 3 and 4 of Dowry Prohibition Act, 1961 is hereby quashed and set aside.

(N.R. BORKAR, J.)

(S.S. SHINDE, J.)