

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

CRIMINAL APPEAL NO.597 OF 2015

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Pinky Neeraj Kalro

...Appellant

Versus

Neeraj Lalchand Kalro and Ors.

...Respondents

**WITH
CRIMINAL APPEAL NO.970 OF 2015**

The State of Maharashtra

...Appellant

Versus

Neeraj Lalchand Kalro and Anr.

...Respondents

....

Mr. Rohan Kama i/b. Mr. Vivek Pandey for the Appellant in
Apeal/597/2015

Mr. S.V. Gavand, APP for the Appellant in Apeal/970/2015

Mr. M.G. Shukla for Respondent Nos.2 and 3.

Ms Pinky Neeraj Kalro, present in person.

Mr. Neeraj Lalchand Kalro, present in person.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED: 4th DECEMBER, 2021.

P.C.:-

1. These appeals are directed against judgment and order dated 2nd, 3rd and 4th March, 2015 passed by the learned Sessions Judge, Greater Bombay in Criminal Appeal No.273 of 2013.

2. The Appellant-Pinky Kalro was married to Respondent No.1 - Neeraj Kalro on 20/04/2008. The strained relationship between them

resulted in lodging of the FIR for offence under Section 498A r/w. 34 of the IPC. The Metropolitan Magistrate held the Respondents guilty of the said offence. In an appeal filed by the Respondents, the learned Session Judge quashed and set aside the judgment of the Metropolitan Magistrate and consequently acquitted the Respondents of offence under Section 498A r/w 34 of the IPC. The Complainant and the State have challenged this judgment in these appeals.

3. Mr. Rohan Cama, learned counsel for the Appellant in Appeal No.597 of 2015 and Mr. M.G. Shukla, learned counsel for Respondents state that the dispute between the parties is resolved. The terms of the settlement are recorded by the Division Bench of this Court in order dated 5th February, 2021 and 23rd February, 2021 in Family Court Appeal (st) No.99567 of 2020.

4. One of the terms of the said orders stipulates that “*and/all any orders passed in any proceedings between the parties /their family members shall be treated as quashed and set aside.*” In view of the aforesaid order of the Division Bench, the proceedings being Criminal Appeal No.597 of 2015 filed by the Complainant stand quashed and disposed of.

5. Criminal Appeal No.970 of 2015, filed by the State also emanates from the matrimonial dispute, which has already been resolved by the Court. In the Family Court Appeal, the Division Bench of this Court has assisted the parties to bury the hatchet and end a long drawn matrimonial battle. The parties have accordingly agreed to put an end to the litigation and settle down in life peacefully. In view of the complete settlement of the dispute between the parties, as recorded in the order dated 5th February, 2021 and 23rd February, 2021 in Family Court Appeal (st) No.99567 of 2020, allowing these proceedings to continue would be a futile exercise and would not be in the interest of either party.

6. Under the circumstances, Criminal Appeal Nos.597 of 2015 and 970 of 2015 stand disposed of. Bail bonds, if any, stand discharged.

(SMT. ANUJA PRABHUDESSAI, J.)