

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 3789 OF 2019

Neeraj Hampal

..Petitioner

Versus

The State of Maharashtra & Anr.

..Respondents

Ms. Priyanka Lokhande i/b. Prashant Mishra for Petitioner.

Mr. K. V. Saste, APP for State/Respondent.

Ms. Tejaswini Patil, PSI, Manpada Police station, Dombivli, Present.

CORAM : NITIN JAMDAR AND
SARANG V. KOTWAL, JJ.

DATE : 15 NOVEMBER 2021

P.C. :

. Heard the learned counsel for the Petitioner and the learned APP.

2. The Petitioner has sought quashing of F.I.R. No. 479 of 2016 under sections 498A, 323 and 504 of the Indian Penal Code lodged by the Respondent No.2 at Manpada police station, District Thane.

3. While issuing notice on 06 February 2020, the Division bench of this court has noted that the marriage between the parties is

already dissolved. The learned counsel for the Petitioner submitted that the whereabouts of the Respondent No.2 are not known and even during the proceedings before the Family Court at Delhi, the Respondent No.2 did not appear, neither filed any written statement. The notice issued in this Petition on the address given has been returned with the remark that the Respondent No.2 does not reside at the given address.

4. It is not necessary, however, to proceed further in view of the statement made, on instructions, by the learned APP, who has also shown us the record that a report ('A' Summary) was submitted to the concerned Magistrate on 18 August 2018 which has been accepted by the learned Magistrate on 03 November 2018, whereby the F.I.R. in question is now no longer survive.

5. In the light of this development, nothing further survives in this petition.

6. The Writ Petition is accordingly disposed of.

(SARANG V. KOTWAL, J.)

(NITIN JAMDAR, J.)