

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

902 CRIMINAL WRIT PETITION NO. 1421 OF 2022

SAMIR AYYUB SHAIKH AND OTHERS
VERSUS
AASMA SAMIR SHAIKH

...

Advocate for Petitioners : Mr Shaikh Mazhar A. Jahagirdar
Advocate for Respondent: Mr Patel S. Farhan

CORAM : SHRIKANT D. KULKARNI, J.

DATE : 20th OCTOBER, 2022

PER COURT :

1. Mr Shaikh Mazhar A. Jahagirdar, learned counsel for the petitioners submits that the matter has been amicably settled between the parties. He invited my attention to the affidavit-in-reply filed by the respondent Aasma Samir Shaikh, who happens to be wife of petitioner No.1. Mr Jahagirdar submits that in view of the amicable settlement between the parties, petitioner No.1 (husband) has given demand draft in the sum of Rs.8,00,000/- (Rupees Eight Lakhs Only) by way of one time settlement of maintenance.

2. Mr Jahagirdar, learned counsel for the petitioners further submits that Khulanama has been effected between the parties, and as such, there is no relationship between petitioner No.1 and the respondent as husband and wife. He, therefore, seeks to quash the entire proceedings initiated by the respondent under the Protection of Women from Domestic Violence Act, 2005 according to the prayer clause (B).

3. Mr Patel S. Farhan, learned counsel appeared on behalf of respondent/wife and filed his V.P. The V.P. is taken on record along with the affidavit-in-reply filed by respondent/wife.

4. Mr Patel S. Farhan, learned counsel for the respondent made similar submissions. He submits that in view of amicable settlement between the parties, the proceedings under the D.V. Act may be quashed.

5. Having regard to the submissions of both the sides, and in view of affidavit-in-reply filed by the respondent, the following order is passed.

ORDER

- (I) Criminal Writ Petition stands allowed in terms of prayer clause (B).
- (II) Inform to the concerned Court accordingly so as to pass further orders.
- (III) Criminal Writ Petition is accordingly disposed of.

[SHRIKANT D. KULKARNI, J.]

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