

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

CRIMINAL APPLICATION NO. 142 OF 2020

Paramvir Singh Devinder Singh Sidhu ... Applicant
Versus
1. The State of Maharashtra
2. Aanchal Khosla ... Respondents

WITH

CRIMINAL APPLICATION NO. 143 OF 2020

1.Suneet Kaur Devinder Singh Sidhu
2.Colonel Devinder Singh Sidhu
3. Simran Kaur Kahlon ... Applicants
Versus
1. The State of Maharashtra
2. Aanchal Khosla ... Respondents

Mr. Abhishek Yende for the Applicants in both the Applications.

Mr. J. P. Yagnik, APP for the Respondent No.1 – State.

Mr. Yashpal Thakur, for the Respondent No.2 in both the Applications.

**CORAM : REVATI MOHITE DERE &
PRITHVIRAJ K. CHAVAN, JJ.**

DATE : 13th DECEMBER, 2022.

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P. C. :

The aforesaid Criminal Application No. 143 of 2020, which is not on board, is taken on board and heard alongwith Criminal Application No. 142 of 2020, which is on board.

2 Heard learned Counsel for the parties in both the aforesaid Applications.

3 Rule. Rule is made returnable forthwith, with the consent of the parties and is taken up for final disposal. Learned A.P.P waives notice on behalf of the respondent No.1–State and Mr. Yashpal Thakur waives notice on behalf of the respondent No.2 in both the Applications.

4 By these applications, preferred under Section 482 of the Code of Criminal Procedure, the applicants seek quashing of the FIR, registered vide C.R. No. 834/2019 with the Kondhawa Police Station, Pune, as against the applicants, for the alleged offences punishable under Sections 498A, 406, 323, 504 r/w 34 of the Indian Penal Code. Quashing is sought on the premise that the applicants

and the respondent No. 2 have amicably settled their dispute.

5 Perused the papers. The applicant in Criminal Application No. 142 of 2020 is the husband of the respondent No.2; and the applicants in Criminal Application No. 143 of 2020 are the mother-in-law; father-in-law and sister-in-law of the respondent No.2, respectively.

6 It appears that the applicant in Criminal Application No. 142 of 2020 got married to the respondent No. 2 on 16.10.2016. Post marriage, the respondent No.2 started residing with the applicant. As, according to the respondent No. 2, she was allegedly ill-treated and harassed by the applicants, she filed the aforesaid FIR as against the applicants alleging the aforesaid offences. After investigation, charge-sheet was filed in the said case and the case is presently pending before the learned Judicial Magistrate, First Class, Cantonment Court, Pune being R.C.C.No. 299 of 2020.

7 It appears that in the interregnum, during the pendency of the aforesaid proceeding, the parties amicably settled their dispute and

entered into consent terms. The said consent terms have been filed by the parties before the learned Judge, Family Court, at Pune. Consent Terms are annexed to the Affidavit-in-Reply of the respondent No.2. It appears from the said consent terms that the parties have amicably settled their dispute and have decided to put a quietus to their dispute.

8 We are informed that in the consent terms, both the parties i.e. applicant-Paramvir Singh Sidhu and respondent No.2-Aanchal Khosla have agreed to take divorce by mutual consent. They have agreed to withdraw all the allegations levelled against each other and their families. The applicant (Paramvir Singh Sidhu) has agreed to pay one time settlement of Rs.30 lakhs to the respondent No.2, by Demand Draft. The said Demand Draft has already been deposited in the Family Court, Pune, by the applicant (Paramvir Singh Sidhu). The said amount includes jewellery and all other claims. There are several other terms and conditions which have also been stipulated in the consent terms, which both parties have undertaken to abide and comply with.

9 The respondent No.2 has filed her consent affidavit dated 22/11/2022 in both the aforesaid Applications, giving her no objection to the quashing of the FIR, registered at her behest. To the said affidavit is annexed the Consent Terms entered into between her and her husband- Paramvir Singh Sidhu.

10 The respondent No.2 is present in the Court. On being questioned, she reiterates what is stated by her in her affidavit. She is identified by her Counsel. Learned Counsel for the respondent No.2 has tendered a photo copy of the Aadhar Card of the respondent No. 2 duly attested by her, in both the aforesaid Applications. The same are taken on record and the learned A.P.P has verified the original Aadhar card of the respondent No.2.

11 Considering the nature of dispute, the relation between the parties, the consent terms entered into between them, the affidavit of the respondent No. 2 and having regard to the judicial pronouncements of the Apex Court in **Gian Singh vs. State of Punjab & Anr.**¹ and **Narinder Singh & Ors. vs. State of Punjab & Anr.**² ,

¹ (2012) 10 SCC 303

² (2014) 6 SCC 466

there is no impediment in allowing the Applications.

12 The applications are accordingly allowed and the FIR bearing C.R. No. 834/2019 registered with the Kondhawa Police Station, Pune, as against the applicants and consequently, the proceeding pending before the learned Judicial Magistrate, First Class, Cantonment Court, Pune, being R.C.C. No. 299 of 2020, are quashed and set-aside.

13 Rule is made absolute in the aforesaid terms. Applications are accordingly disposed of.

14 All concerned to act on the authenticated copy of this order.

PRITHVIRAJ K. CHAVAN, J.

REVATI MOHITE DERE, J.