

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.137 OF 2018

Nishant Rajeev Verma and others Vs. State of Maharashtra and another	...	Applicants Respondents
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Mr. S. V. Waghmare i/b. Mr. S. K. Gunjekar for Applicants.
Mr. Y. M. Nakhwa, APP for Respondent No.1-State.
Mr. Yogesh M. Birajdar i/b. Mr. H. P. Vyas for Respondent No.2.
Mrs. Surekha Nishant Verma, Respondent No.2 is present.

**CORAM : S. S. SHINDE &
MILIND N. JADHAV, JJ.**

DATE : JUNE 13, 2022

P.C. :

Rule. Rule made returnable forthwith and heard with the consent of learned counsel appearing for the parties.

2. Mr. Birajdar, learned counsel appearing for respondent No.2, has tendered across the Bar an affidavit dated 13.06.2022 on behalf of respondent No.2. The same is taken on record and marked 'X' for identification.

3. Respondent No.2, who is present before this Court, states that it is her voluntary act to enter into amicable settlement and give consent for quashing the impugned F.I.R. She is identified by learned counsel appearing on her behalf.

4. It would be apt to reproduce hereinbelow relevant paragraphs of the said affidavit viz., paragraphs 3 to 5, which read as under:-

“3. That in the present case, after registration of the F.I.R.No.14/2018, full and final settlement / compromise has been arrived at, between myself / original complainant and the applicant / accused.

4. In the present case, the impugned FIR was lodged in hot

haste and misunderstanding. However, with intervention of relatives and common friends we have arrive at amicable settlement and decided to get divorce by mutual consent.

5. That I do not intend to prosecute with the case any further. I am giving my free consent without any coercion and I have no objection if the impugned F.I.R.No.14/2018 registered on 05/01/2018 with Lonikand Police Station, Pune for offences punishable u/s. 498-A, 323, 504 and 506 of the Indian Penal Code be quashed and set aside in the interest of justice.”

5. Learned counsel appearing for the parties, on instructions, have made statements that parties will extend full co-operation for early hearing of the proceedings pending before the Family Court and will not unnecessarily seek adjournment. Statements are accepted.

6. In view thereof, the Family Court shall ensure that the proceedings pending before the parties are disposed of at the earliest. Parties shall abide by the terms of settlement. Since the parties have amicably settled the dispute, no fruitful purpose will be served by continuing the further investigation of Crime No.14 of 2018 registered with Lonikand Police Station, Pune against the applicants for the offences punishable under Section 498-A, 323, 504 and 506 of the Indian Penal Code.

7. In the light of the above, application is allowed in terms of prayer clause (a), which reads as under:-

“a) That this Hon’ble Court be pleased to quash the F.I.R. in Crime No.14 of 2018 registered on 05/01/2018 with Lonikand Police Station, Pune, for offences punishable u/s. 498-A, 323, 504 and 506 of I.P.C. against the present applicants under Section 482 of Criminal Procedure Code to prevent the abuse of the process of the Hon’ble Court and to secure the ends of justice.”

8. Rule is made absolute in the aforesaid terms. Application stands disposed of accordingly.

(MILIND N. JADHAV, J.)

(S. S. SHINDE, J.)