

RMA

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

WRIT PETITION NO. 682 OF 2015

Maruti Vitthal Ladi & Ors.

.. Petitioners

Vs.

The State of Maharashtra & Anr.

.. Respondents

Mr. Gautam C. Kanchanpurkar for Petitioners

Mr. S.S. Hulke, APP for State

Ms. Priya A. Patil for Respondent No. 2

**CORAM : A.S. GADKARI &
MILIND N. JADHAV, JJ.**

DATE : 03rd August 2022.

P.C.:

1. Petitioners have filed the present Petition for quashing of F.I.R No. I-486 of 2014 Registered with Dharavi Police Station, Mumbai.

2. Petitioner No. 3 is husband of Respondent No. 2. He is personally present before this Court. Petitioner Nos. 1, 2 and 4 are the in-laws of Respondent No. 2.

Perusal of record indicates that, by Order dated 06.01.2017, this Court, by way of an ad-interim relief, had directed the police not to file chargesheet against Petitioners without leave of this Court. That, on 24.09.2021, the learned Advocate for Petitioners had made a statement before this Court that, the parties herein have settled their dispute. The said fact is recorded in the Order of even date.

3. Today, Advocate Ms. Priya Patil tendered across the bar an affidavit dated 03.08.2022 duly affirmed before Mrs. Snehal C.

Sawant, a Notary Public. The said affidavit is duly signed by Respondent No. 2 and her signature is identified by her Advocate who is representing her before this Court. Respondent No. 2 is personally present in Court and through her Advocate admitted the statements made in the said affidavit. The said affidavit is taken on record and marked "X" for identification.

In paragraph 2 of the said affidavit, Respondent No. 2 has stated that, after registration of the said crime, she has resolved issues with Petitioner No. 3 who is her husband and they are staying and cohabiting together since last three years. That, the remaining Petitioners are in-laws and she has also resolved her dispute with them. That, as she is cohabiting with Petitioner No. 3 happily, she has no complaint against Petitioners now.

4. Mr. Kanchanpurkar, learned Advocate for Petitioners, on instructions concedes to the statements made by Respondent No. 2 in her affidavit dated 03.08.2022.

5. In view of the assertive statements made by Respondent No. 2 on oath, we find that, continuation of investigation and / or further proceedings arising out of F.I.R. No. I-486 of 2014 registered with Dharavi Police Station need not be continued and in the interest of Petitioner No. 3 and Respondent No. 2, the same needs to be quashed.

6. We, accordingly, quash the said F.I.R. No. 486 of 2014 registered with Dharavi Police Station.

Petition is accordingly allowed in terms of prayer clause (b).

7. Advocate Ms. Priya Patil appearing on behalf of Respondent No. 2 undertakes to file vakalatnama on behalf of Respondent No. 2 on or before 05.08.2022 and in any event, within a period of one week from today. The statement is accepted as an undertaking given to this Court.

[MILIND N. JADHAV, J.]

[A.S. GADKARI, J.]

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