

JPP

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

CRIMINAL WRIT PETITION NO. 3247 OF 2021

Bhushan Vishnu Manohar and Ors.

... Petitioners

V/s.

Lalita Bhushan Manohar and Anr.

... Respondents

Mr. Ramesh Gupta with Ms. Vidya Gosavi for the Petitioners

Mr. Prasanna K. Shahane with Mr. Pankaj Mahale for Respondent
No.2

Ms. S.D. Shinde, APP for the Respondent - State

***CORAM : NITIN JAMDAR &
N.R. BORKAR, JJ.***

DATE : 10 AUGUST 2022

P.C. :-

The Petitioners filed this Petition with the following
prayer :-

*“(a) This Hon’ble Court be pleased to quash and set
aside the FIR No. 26 of 2021 dated 25.01.2021
registered by Vikhroli Police Station against the
Petitioners.”*

2. We have heard the learned Counsel for the parties.

Taken up for disposal.

3. The learned Counsel for the Petitioners states that the Petitioner No.2 – Mother-in-law of the Respondent No.1 has expired on 5 August 2022. This fact is confirmed by the learned Counsel for the Respondent No.1 – Complainant.

4. The learned Counsel for the Petitioners and the Respondent No.1 – Complainant jointly pray that the FIR be quashed in the light of the settlement between the parties. The learned Counsel for the parties state that the FIR was a result of a matrimonial dispute between the parties and the parties have filed the consent terms in the Family Court. The learned Counsel for the parties rely upon the decision of the Hon'ble Supreme Court in the case of *Gian Singh v/s. State of Punjab*¹.

5. The learned Counsel for the Petitioners states that though the consent terms provide no maintenance or expenses to the children, he is ready for providing the same which fact will be taken into consideration by the Family Court at Bandra when the final order would be passed.

6. We have considered the facts and circumstances of the case, the pleadings and the joint prayer made, and the law laid down by the Hon'ble Supreme Court. Considering the totality of the circumstances, the case is made out for the relief as prayed for and

¹ (2012) 10 SCC 303

not granting the same would be needless harassment to the parties and will disrupt the settlement arrived at between the parties.

7. The Writ Petition is allowed in terms of prayer clause (a).

N.R. BORKAR, J.

NITIN JAMDAR, J.

JYOTI
PRAKASH
PAWAR

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