

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.3977 OF 2021**

Mehul Harshad Soni And Ors.	... Petitioners
Vs.	
Nisha Mehul Soni And Anr.	... Respondents

Ms. Pranothi Bharat Pawar, Advocate for Petitioner.
Mr. Ravish Mishra, Advocate for Respondent No.1.
Mr. K. V. Saste, APP for Respondent No.2.

**CORAM : PRASANNA B. VARALE, J. &
S.M. MODAK, J.**

DATE : 9 MARCH 2022

PC. :

. There is an offence bearing FIR No.753 of 2020 dated 9 September, 2020 registered with Police Station Charkop, Mumbai for the offence punishable under Sections 498-A, 323, 504, 506 read with 34 of Indian Penal Code 1860 (for short, I.P.C.) against the present petitioners.

2. Petitioner No.1 Mehul Soni is the husband of first informant Nisha Soni whereas other Petitioners are his relatives. The offence as mentioned above was registered by the first informant, as there was harassment on account of dowry.

 There is a son by name Master Arnav born out of said wedlock. The Respondent No.2 has filed a marriage petition No.A336 of 2021 before family Court at Bandra. They have decided to settle their dispute and decided to dissolve the marriage. Consent terms were filed before that Court on 07 September 2021. Copies filed on record. The Respondent No.2 has agreed to waive maintenance right for herself and for her son. She has also decided not to continue with that prosecution.

3. She has also filed an affidavit in support of above contention and even she had affirmed that divorce is granted by mutual consent on 09.09.2021 (wrongly typed as 07.09.2021).

5. We have heard learned counsel for the Petitioner considering the above facts. It is in the interest of both the parties not to continue with the Prosecution. In fact by quashing the prosecution, both the parties will have a peaceful life. Hence this order.

ORDER

- a) The Criminal Writ Petition No.3977 of 2021 is allowed.
- b) The F.I.R bearing No.753 of 2020 dated 9th September, 2020 registered with Police Station Charkop, Mumbai under Sections 498-A, 323, 504, 506 read with 34 of the I.P.C. Order quashed and set aside.

(S.M. MODAK, J.)

(PRASANNA B. VARALE, J.)