

traits like woman. The first informant was shocked after noticing this thing. Furthermore, there was demand for money and flat at the instance of the Petitioner. Son is begotten from this marriage on 13 August 2014 and his name is master Uzair Siddiqui. Perturbed by ill treatment, she lodged complaint with Amboli Police Station, Mumbai on 27 November 2018 and it was registered under Sections 498-A, 417, 323, 352 and 506 of Indian Penal Code, 8 and 10 of Protection of Children from Sexual Offences Act, 2012 (POCSO) and Section 4 of Dowry Prohibition Act, 1961.

4 During the pendency of these offences, both have decided to settle the dispute and take a divorce by a mutual consent through Chief Kazi of Bombay by way of Talaq-e-Mubarat. The Petitioner has agreed to pay Rs.20,00,000/- towards the permanent alimony towards Respondent No.2 and Rs.1,79,088 towards fees of the son for the year 2020-21. The schedule of the payment is also decided in the written consent terms. The Petitioner has agreed to pay Rs.30,000/- towards the fees of the minor son. So also Respondent No.2 has paid Meher amount of Rs.25,000/-. The custody of the child will remain with Respondent No.2 and they have agreed for periodical access by the Petitioner. In turn, Respondent No.2 has agreed for withdrawal of the Petition, so also has agreed to withdraw Domestic Violence Case. She has also filed the affidavit, thereby confirming these terms.

5 Ultimately, both the parties are conscious of their rights and responsibilities. It is in the interest of both spouses and son to quash the proceedings. If it is allowed to continue the prosecution, that will be hurdle in their future peaceful life. This Court is inclined to use powers of

quashing under Section 482 of the Code of Criminal Procedure. Hence, the Order :-

: O r d e r :

- (a) The Writ Petition is allowed.
- (b) The FIR registered by Amboli Police Station at C.R. No.494 of 2018 for the offences punishable under Sections 498-A, 417, 323, 352 and 506 of Indian Penal Code, 8 and 10 of Protection of Children from Sexual Offences Act, 2012 (POCSO) and Section 4 of Dowry Prohibition Act, 1961 is quashed and set aside.

RAJESH
VASANT
CHITTEWAN

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(S. M. MODAK, J.)

(PRASANNA B. VARALE, J.)