

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
APPLICATION NO. 78 OF 2023**

Manish M. Singh Goud ...Applicant
Versus
State of Maharashtra & Anr. ...Respondent

Mr. Prashant C. Kamble for the Applicant
Mr. Y.Y. Dabake, APP for the Respondent /State.
Mr. Vikas Tiwari for Respondent No.2.

WITH
WRIT PETITION NO. 3840 OF 2023

1. Asha M. Goud
2. Shubham M. Goud ...Petitioners
Versus
State of Maharashtra & Anr. ...Respondent

Mr. Vikas Tiwari for the Petitioners.
Mr. Y.Y. Dabake, APP for the Respondent /State.
Mr. Prashant C. Kamble for Respondent No.2

**CORAM : PRAKASH D. NAIK &
N. R. BORKAR, JJ.
DATE : 14.12.2023.**

PC:-

1. Leave to amend prayer clause in Criminal Application No.78 of 2023 is granted. Amendment to be carried out forthwith.

2. Applicant in Criminal Application No.78 of 2023 challenges the FIR dated 20.10.2022 registered with Bharati Vidyapith Police Station vide FIR No. 695 of 2022 for offence under Sections 307, 324, 323, 504 and 506 of the Indian Penal Code. On completing investigation, charge-sheet has been filed. FIR has been registered by respondent No.2. She is the wife of applicant.

3. Criminal Writ Petition No. 3840 of 2023 pertains to FIR dated 20.10.2022 registered with Bharati Vidyapith Police Station vide Crime No. 696 of 2022 for offences under Sections 324, 323, 504 and 506 read with 34 of the Indian Penal Code. It was registered at the instance of respondent No.2. He is the husband of petitioner No.1. Petitioner No.2 is the son of petitioner No.1 and respondent No.2/complainant.

4. Both parties are present in the Court. It is submitted that the parties have resolved differences. They are staying together. It is agreed between the parties that the FIR lodged by respective parties may be quashed by consent.

5. Respondent No.2/wife in Criminal Application No. 78 of 2023 has filed the affidavit stating that she has no objection for quashing the FIR and charge-sheet as there is amicable settlement between the parties. Similarly, respondent No.2 in Writ Petition No.3840 of 2023 has also filed the affidavit stating that he has no objection for quashing FIR and charge-sheet as there is amicable settlement between the parties.

6. Considering the relations between parties, the settlement and resolution of differences and also considering the fact that the parties are staying together, the impugned FIRs and charge-sheets can be quashed.

ORDER

1. Criminal Application No. 78 of 2023 is allowed.

2. The C.R.No. 695 of 2022 registered on 20.10.2022 with Bharati Vidyapith Police Station vide FIR No. 695 of 2022 for offence under Sections 307, 324, 323, 504 and 506 of the Indian Penal Code and the charge-sheet pending on the file of J.M.F.C., 4th Court, Pune against the applicant are quashed and set aside.

3. Criminal Writ Petition No. 3840 of 2023 is allowed.

4. The proceedings in R.C.C. No.1937/2023 pending on the file of J.M.F.C., 4th Court, Pune arising out of FIR dated 20.10.2022 registered with Bharati Vidyapith Police Station vide Crime No. 696 of 2022 for offences under Sections 324, 323, 504 and 506 read with 34 of the Indian Penal Code against the petitioners are quashed and set aside.

(N.R. BORKAR, J.)

(PRAKASH D. NAIK, J.)