

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 953 OF 2023**

Najmunnisa Abdul Qaiyum Shaikh and Ors. ...Petitioner

Versus

The State of Maharashtra and Anr. ...Respondents

Ms.Gayatri H. Nayak a/w Mr.Akash Tayade Advocate for
Petitioners.

Mr.Rahul Yadav i/by Mr.Rajesh Khobragade for Respondent No.2.

Mr. S.S. Hulke, APP for Respondent-State.

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**CORAM : A. S. GADKARI AND
PRAKASH D.NAIK, JJ.**

DATE : 29th MARCH, 2023

P.C.:-

1. The Petitioners are seeking quashing of First Information Report (for short 'F.I.R.') dated 14th November 2021 registered with Nirmal Nagar Police Station, Mumbai vide C.R. No. 594 of 2021 for offences under Sections 509, 323, 504 and 506 read with 34 of the Indian Penal Code.

2. The F.I.R. has been registered at the instance of Respondent No.2 alleging that, on 28th October 2021, the first informant and her daughter had visited the parental home of her daughter-in-law, Salma at Irani Chawl, Golibar Road, Khar, at that time mother of Salma and aunt had abused and assaulted first informant. Brother of Salma, Sultan Shaikh assaulted her and pulled her out of house.

3. The daughter-in-law of Petitioner No.1 had lodged the F.I.R. on 7th December 2021 with Nirmal Nagar Police Station, Mumbai vide C.R. No.635 of 2021 for offences under Sections 498-A, 323, 504, 506 read with 34 of the IPC against Respondent No.2 and others.

4. Parties have arrived at amicable settlement and agreed to quash the respective FIR's with the consent of respective complainant's. The daughter-in-law of Petitioner No.1 and Shoeb Shaikh, with whom she had performed marriage and who is one of the accused in C.R. No.635 of 2021 registered with Nirmal Nagar Police Station, Mumbai, had agreed to dissolve the marriage and Khulanama is executed between them.

5. The Respondent No.2 is present in the Court. She has filed Affidavit dated 29th March 2023. The said Affidavit is taken on record. In the said affidavit, she has stated that, F.I.R. No. 594 of 2021 dated 14th November 2021 registered with Nirmal Nagar Police Station, Mumbai may be quashed with her consent.

6. From the documents on record it is apparent that, the cause of registration of complaints against each other is on account of matrimonial discord between parties and they have arrived at amicable settlement and resolved the disputes. In these circumstances, the impugned F.I.R. can be quashed and set aside.

ORDER

- (i) Criminal Writ Petition No.953 of 2023 is allowed;
- (ii) First Information Report dated 14th November 2021 registered with Nirmal Nagar Police Station, Mumbai vide C.R. No. 594 of 2021 is quashed and set aside.

(PRAKASH D. NAIK, J.)**(A. S. GADKARI, J.)**