

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

CRIMINAL APPLICATION NO. 195 OF 2023

Mohit Pawankumar Agarwal and Ors. ...Applicants
Versus
State of Maharashtra and Ors. ...Respondents

Mr. Vijaykumar Mane, Advocate for Applicant.

Mrs. Saloni M. Agarwal, Respondent No.3 Present in Person.

Mrs. M.M. Deshmukh, APP for Respondent – State.

Ms. Shobha Kharat, API, MIDC Police Station, Mumbai.

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

DATE : 27th MARCH, 2023.

PER COURT:-

. Rule. Rule is made returnable forthwith.

1. The First Information Report (for short 'FIR') dated 11th May, 2022 has been registered with MIDC Police Station, Mumbai vide C.R. No.610 of 2022 for offences punishable under Section 498-A, 406, 504 r/w 34 of Indian Penal Code (for short 'IPC'). The FIR has been registered at the instance of Respondent No.3. The Applicants were arraigned as accused in the FIR.

2. The complainant has alleged that her marriage was solemnized with Applicant No.1 on 4th May, 2019. Pursuant to her marriage she was allegedly subjected to harassment by the accused and her ornaments were misappropriated.

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3. The Applicant No.1 and Respondent No.3 have executed memorandum of understanding which has been annexed to this application. The Respondent No.3 has filed an affidavit before this Court stating that the dispute is amicably settled and she has no objection for quashing the FIR bearing No.610 of 2022.

4. The Applicant No.1 is the husband of Respondent No.3. Applicant No.2 is the mother-in-law. Applicant No.3 is the brother-in-law of Respondent No.3. Applicant No.4 is the wife of Applicant No.3 and Applicant No.5 is the father-in-law of Respondent No.3.

5. The Respondent No.3/complainant is present in the Court. She stated that, she would appear in person. She do not want legal Aid. She is identified by the Police Officer present in the Court. She has admitted the contents of affidavit filed by her and MOU executed with Applicant No.1. She stated that, she has no objection for quashing the impugned FIR on account of settlement between the parties.

6. Considering the nature of dispute and the fact that the Applicant No.1 and Respondent No.3 has executed memorandum of understanding and resolved the dispute and in the light of affidavit filed by Respondent No.3, the prayer in this Application can be allowed.

ORDER

- i. The First Information Report bearing C.R. No.610 of 2022 registered with MIDC Police Station, Mumbai is quashed and set aside.
- ii. Rule is made absolute in terms of prayer Clause-C.

[PRAKASH D. NAIK, J.]

[A. S. GADKARI, J.]