

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

CRIMINAL WRIT PETITION NO. 2002 OF 2023

Piyush Mahendra Danani And Anr. ...Petitioners
Versus
The State Of Maharashtra And Anr. ...Respondents

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Adv. Rimpal Trivedi a/w Ms. Harshida Bhanushali a/w Mr. Hardik Gajra, Advocate for the Petitioners.

Mr. Sanjay Ranjane i/by Mr. Pranav Devkar, Advocate for Respondent No.3

Mr. S.D. Shinde, APP for Respondent-State.

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

DATE : 20th DECEMBER, 2023.

P.C.:

1. The parties have resolved the disputes. Consent terms are executed. It is prayed that the impugned proceedings in C.C.No.70/PW/2023 pending before the Court of learned Metropolitan Magistrate, 15th Court Mazgaon, Mumbai, arising out of First Information Report (for short 'FIR') dated 6th May, 2019 registered with Kala Chowki Police Station vide C.R. No.85 of 2019 be quashed and set aside.

2. The FIR was registered at the instance of Respondent No.3. The Petitioner is the husband of Respondent No.3. The

Petitioner and Respondent No.3 are present in the Court. The Respondent No.3 has confirmed the contents of the consent terms as well as the affidavit filed by her consenting for quashing the proceedings.

3. As per the consent terms the complainant has agreed to withdraw the proceedings under the Domestic Violence Act. The husband has agreed to give permanent alimony and maintenance of past, present and future to the wife as stipulated in the consent terms. The consent terms also indicate that the complainant has agreed to give no objection of affidavit for quashing in this proceedings initiated by her which are subject matter of Criminal Writ Petition No.2002 of 2023. The affidavit filed by the complainant also indicate that she has no objection for quashing the impugned proceedings.

4. Considering the fact that the dispute had arisen on account of matrimonial discord between the parties, which has been resolved by them, the prayers sought in this Petition can be granted.

ORDER

- i. Criminal Writ Petition No.2002 of 2023 is allowed;

ii. The impugned proceedings in C.C.No.70/PW/2023 pending before the Court of learned Metropolitan Magistrate, 15th Court Mazgaon, Mumbai, arising out of FIR dated 6th May, 2019 registered with Kala Chowki Police Station vide C.R. No.85 of 2019 are quashed and set aside.

iii. Petition stands disposed off.

(N.R. BORKAR, J.)

(PRAKASH D. NAIK, J.)