

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.996 OF 2023

Akshay Suresh Karande & Ors.

...Petitioners

Vs.

The State of Maharashtra & Anr.

...Respondents

Ms. Shraddha Mittal i/by Bhattacharya & Associates for Petitioners.

Mrs. M. M. Deshmukh, A.P.P. for Respondent No.1-State.

Ms. Sulakshana D. Survase a/w Mr. Rahul Dubey for Respondent No.2.

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

DATE : 6th APRIL 2023.**PC.:-**

. Leave to amend to challenge the charge-sheet with addition of pleadings in the Petition and prayer clauses.

Amendment to be carried out forthwith.

2. The Petitioners are arraigned as accused in C.R. No.507 of 2021 registered with Navghar Police Station, District Thane, on 24.07.2021 for offences under Sections 498(A), 323, 504 & 506 read with Section 34 of Indian Penal Code. The Respondent No.2 is the first informant.

3. Petitioner No.1 is the husband and Petitioner Nos.2 to 4 are relatives of Respondent No.2. In the First Information Report (*for short 'FIR'*) lodged

by Respondent No.2 it is alleged that, her marriage was performed with Petitioner No.1 on 05.02.2018. Pursuant to her marriage, she was ill treated by the accused. Petitioner Nos.2 & 3 are father-in-law and mother-in-law of Respondent No.2 and Petitioner No.5 is the brother of her father-in-law. Petitioner No.4 is the wife of Petitioner No.5. There was demand of money by the accused. She was subjected to mental torture. On completing investigation charge-sheet is filed. The proceedings viz. R.C.C. No.2730 of 2022 are pending before the Court of J.M.F.C. Court, No.8, Thane.

4. The Respondent No.2/Complainant is present in the Court. She is represented by Advocate. She has filed Affidavit dated 06.04.2023 in support of the prayers in this Petition. She has confirmed the contents of Affidavit and consented for quashing the impugned FIR. It is stated that, the parties have settled the matter amicably. 'Consent Terms' are filed before the Family Court at Bandra, Mumbai in Petition No.F-3342/2022. The FIR registered with Navghar Police Station, District Thane, vide C.R. No.507 of 2021 against the accused may be quashed.

5. Considering the fact that, the parties have arrived at amicable settlement, the prayers in this Petition can be allowed.

6. Hence, the following Order :

ORDER

- (i) Criminal Writ Petition No.996 of 2023 is allowed.

(ii) Proceedings in R.C.C. No.2730 of 2022 arising out FIR dated 24.07.2021 registered with Navghar Police Station, District Thane, vide C.R. No.507 of 2021 pending before the Court of J.M.F.C. Court, No.8, Thane, is quashed and set aside.

(PRAKASH D. NAIK, J.)

(A.S. GADKARI, J.)