

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 283 of 2022**

Manav Pravin Shah and Anr. ...Applicants

Versus

Devangi Manav Shah and Anr. ...Respondents

Ms. Riddhi Shah, Advocate for Applicant.

Adv. Viral Bhanushali, Advocate for Respondent No.1.

Mrs. Geeta P. Mulekar, APP for the Respondent–State.

Mrs. Devangi M. Shah, Respondent No.1 Present in Person.

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

DATE : 21st MARCH, 2023.

P.C.:-

1. Applicants are seeking quashing of First Information Report (for short 'FIR') registered with Borivali Police Station vide C.R. No.968 of 2021 for offence under Sections 498-A, 354-A and 504 of Indian Penal Code (for short 'IPC').

2. The FIR has been registered at the instance of Respondent No.1. She is the wife of Applicant No.1. Their marriage was solemnized on 23rd May, 2010. The Applicant No.2 is the father-in-law of Respondent No.1.

3. The first informant has alleged that, the Applicants had harassed her causing physical and mental cruelty. The Applicant No.1 had assaulted her. The Applicant No.2 had sent a message on 8th July, 2020 through What's App to complainant which was in the

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nature of outraging modesty.

4. Applicants and Respondent No.1 have amicably settled their differences. They have agreed to dissolve their marriage by divorce by mutual consent and filed Petition before the Family Court at Bandra, Mumbai. Consent terms were filed in the said proceeding. The Respondent No.1 has agreed to quash the impugned FIR with her consent. She has filed the affidavit giving no objection for quashing the said FIR.

5. The Advocate representing both parties submitted that, in view of settlement between the parties the impugned FIR may be quashed. The Respondent No.1 is present in the Court. She has confirmed the contents of consent terms and affidavit of no objection and stated that, FIR be quashed with her consent.

6. The FIR has been registered on account of matrimonial discord between parties. the consent terms filed before the Family Court, the Respondent No.1 had agreed to co-operate with Applicants to quash the FIR. In the affidavit dated 10th March, 2022 filed in this proceeding the Respondent No.1 has stated that, she has amicably settled the dispute with Applicant No.1 and decided to withdraw all allegations and cases filed against each other. She has no objection to quash the FIR registered vide C.R. No.968 of 2021 with Borivali Police Station and the consequential

proceedings.

7. Considering the aforesaid circumstances, the impugned FIR can be quashed.

ORDER

- i. Criminal Application No.283 of 2022 is allowed.
- ii. First Information Report dated 18th August, 2021 registered with Borivali Police Station vide C.R. No.968 of 2021 is quashed.

[PRAKASH D. NAIK, J.]

[A.S. GADKARI, J.]