

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

CRIMINAL WRIT PETITION NO. 1098 OF 2023

Paresh Ramesh Gadre and Anr. ...Petitioners

Versus

State of Maharashtra and Anr. ...Respondents

Mr. Murlidhar Khadilkar a/w Mr. Akash Joshi, Hiten Wasan, Advocate for Petitioner.

Mr. Sandeep Bali a/w Ms. Avati Joshi, Advocate for Respondent No.2.

Mr. Paresh Gadre, Petitioner No.1 Present in Person.

Mrs. Priyanka Gadre, Respondent No.2 Present in Person.

Mr. Ajay Patil, APP for Respondent – State.

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

DATE : 13th APRIL, 2023.

P.C. :-

1. Heard both sides. Learned Advocate for Respondent No.2 undertakes to file Vakalatnama within one week from the date of uploading this order. Statement is accepted. Permission granted.

2. Petitioners and Respondent No.2 have jointly urged that, the impugned First Information Report (for short 'FIR') dated 2nd August, 2022 lodged at the instance of Respondent No.2 with Sangavi Police Station vide C.R. No.347 of 2022 for offences under Sections 498-A, 504 and 34 of Indian Penal Code (for short 'IPC') be quashed and set aside.

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3. The Respondent No.2 is the wife of Petitioner No.1. Petitioner No.2 is the mother of Petitioner No.1. The marriage between Respondent No.2 and Petitioner No.1 was performed on 11th March, 2020. The first informant had alleged that the Petitioner had caused physical and mental cruelty to her. She was harassed by the accused. Due to harassment the Respondent No.2 left the matrimonial home on 11th April, 2021. She lodged the complaint with Police.

4. The parties have resolved their disputes. Consent terms were executed between Petitioner No.1 and Respondent No.2. Petitioner No.1 had filed the Petition under the Hindu Marriage Act for divorce before the Family Court, Pune. Petitioner No.1 had agreed to pay one time lump-sum amount of Rs.10,00,000/- (Ten Lakhs) towards alimony etc. to Respondent No.2. As per the consent terms the Respondent No.2 has agreed to quash the FIR registered at her instance.

5. The Respondent No.2 is present in the Court. She has filed the affidavit dated 6th April, 2023. She has confirmed the contents of the said affidavit. As per Paragraph No.7 of the affidavit, the Respondent No.2 has no objection for quashing C.R. No.347 of 2022 registered with Sangavi Police Station. The

affidavit is taken on record.

6. Considering the fact that, the cause of dispute was matrimonial discord, the relief sought in this Petition can be granted.

ORDER

- i. Criminal Writ Petition No.1098 of 2023 is allowed.
- ii. First Information Report dated 2nd August, 2022 registered with Sangavi Police Station vide C.R. No. 347 of 2022 is quashed and set aside.

[PRAKASH D. NAIK, J.]

[A.S. GADKARI, J.]