

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 1888 OF 2022**

Prathamesh Ravindra Phule & Anr.Petitioners

Vs.

State Of Maharashtra & Anr.Respondents

WITH

INTERIM APPLICATION NO.1903 OF 2022

Snehal Prathamesh PhuleApplicant

Vs.

State Of Maharashtra & Ors.Respondents

Adv. Vandana Bait a/w Adv. Amey Deshpande a/w Adv. Harsh Nishar a/w
Adv. Niyati T. Sontakke for the Petitioner.

Mrs. M.M. Deshmukh APP, for the Respondent-State.

Mr. J.D. Khairnar for Respondent No.2 in Writ Petition and for the Applicant
in Interim Application.

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

DATE : 13th APRIL, 2023.

P.C.:-

1) Petitioner No.1 husband and Petitioner Nos.2 to 4 in-laws of
Respondent No.2 have filed present Petition for quashing of C.R. No. I-56 of
2022 dated 16th March, 2022 registered with Pimpalgaon Police Station,
Nashik, under Sections 498-A, 323, 504 and 506 read with Section 34 of

the Indian Penal Code by consent of Respondent No.2.

2) Learned Advocate for the Petitioners submitted that, Respondent No.2 and Petitioner No.1 have filed a Petition for divorce by mutual under Section 13(1)(B) of Hindu Marriage Act, 1955 before the Court of Civil Judge, Junior Division, Niphad bearing HMP No.208 of 2022. That, in paragraph No. 6 thereof, the Respondent No.2 has stated that, she will take necessary steps of quashing of present FIR registered by her. That, in pursuance thereof, present Petition is filed.

3) Learned Advocate for the Respondent No.2 submitted that, the Respondent No.2 has filed an Affidavit dated 16th March, 2023 duly affirmed before a Notary Public. That, in paragraph No.11 thereof, the Respondent No.2 has given her 'no objection' for quashing the present crime subject to payment of agreed amount of Rs.4 lakhs and returning of gold by the Petitioners.

4) Learned Advocate for the Petitioners submitted that, the Petitioners have paid the said amount of Rs.4 lakhs to Respondent No.2. He further submitted that, returning of gold by the Petitioners was not stated in the Marriage Petition and the said fact has been inadvertently incorporated in paragraph No.11 of the Affidavit of Respondent No.2.

5) As the parties herein have settled the matter amicably and Respondent No.2 has given her 'no objection' for quashing of the said C.R. No. I-56 of 2022 dated 16th March, 2022 registered with Pimpalgaon Police

Station, Nashik, we allow the Petition in terms of prayer clause (A).

6) In view of disposal of Petition, Interim Application No.1903 of 2022 does not survive and is also disposed off.

(PRAKASH D. NAIK, J.)

(A.S. GADKARI, J.)