

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

CRIMINAL WRIT PETITION NO. 2405 OF 2021

Dnyaneshwar Sampat Gomase ...Petitioner

Versus

The State of Maharashtra And Anr. ...Respondents

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Mr. Akhilesh Singh i/by Legal Brains, Advocate for the Petitioner.

Ms. Ruchi Singh, Advocate for Respondent No.2.

Mrs. M. M. Deshmukh, Addl. P.P. for the Respondent No.1 – State.

PSI Mr. S.C. Parab (I.O.) & Mr. S.R. Salunkhe (P.S.I.) Kurar Police Station, Present.

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

DATE : 22nd DECEMBER, 2023.

P.C.:

1. The Petitioner is charge-sheeted for offence under Section 354(D) of Indian Penal Code (for short “IPC”). The First Information Report (for short ‘FIR’) was registered vide Crime No.534 of 2019 registered with Kurar Police Station, Mumbai for offences punishable under Sections 354(D), 504 & 506 of IPC on 22nd December 2019. The FIR was registered at the instance of Respondent No.2.

2. The parties have resolved the dispute. They have arrived at amicable settlement. The proceedings are sought to be quashed with the consent of complainant.

3. The Respondent No.2/Complainant is present in the Court. She has confirmed the contents of the Affidavit. She had asserted that the impugned proceedings can be quashed with her consent as there is settlement between the parties.

4. The Respondent No.2 has filed an Affidavit dated 22nd December 2023 consenting for quashing the proceedings. In the Affidavit it is stated that she has no grievance against the Petitioner since all the disputes have been amicably settled and the Petition may be allowed. The Affidavit is taken on record.

5. Considering the fact that the parties have amicably settled the dispute and complainant has no objection for quashing and setting aside the proceedings, the prayer for quashing can be granted.

6. Hence, we pass the following order:

ORDER

- i) Criminal Writ Petition No.2405 of 2021 is allowed;
- ii) Criminal Proceedings in C.C. No.593/PW/2020 pending before the Court of learned Metropolitan Magistrate,

67th Court at Borivali, Mumbai which are arising out of FIR No.534 of 2019 registered with Kurar Police Station, Mumbai is quashed and set aside.

iii) The Petitioner shall pay cost of Rs.20,000/- to Advocates Association of Western India Generation Next within a period of three weeks from today. The Account details are as under:

Account Name	: Advocates Association of Western India Generation Next
A/c No.	: 000110110007807
Bank Name	: Bank of India
Branch Name	: Mumbai Main
IFSC Code	: BKID0000001

iv) Writ Petition stands disposed of accordingly.

(N. R. BORKAR, J.)

(PRAKASH D. NAIK, J.)