

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 5304 OF 2021**

1. Vivek Pradip Aggarwal		
2. Pradip Aggarwal		
3. Savitri Pradip Aggarwal		
4. Ashish Aggarwal		
5. Vishakha Aggarwal	...	Petitioners
Versus		
1. The State of Maharashtra		
2. Dipansy Bhatu	...	Respondents

Mr. Amrendra Sinha for the Petitioner.
Mrs. M. M. Deshmukh, APP for the State.
Ms. Gayatri Takalkar for Respondent No. 2.
Respondent No. 2, Present through VC.

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

DATED : 14.12.2023

P.C. :-

This is a petition for quashing the First Information Report dated 24.06.2019 registered with Amboli Police Station vide Crime No. 238 of 2019 for offences under Sections 498-A, 406 r/w 34 of the Indian Penal Code.

2. The FIR was registered at the instance of respondent No. 2. The petitioner No. 2 is the husband of respondent No. 2 and the petitioner No. 2 to 5 are the relatives of petitioner No. 1.

3. The respondent No. 2 is present through VC. She has been identified by the Investigating Officer. She submitted that she has no objection for quashing the FIR as there is settlement between the parties.

4. Learned APP has placed on record the statement of the complainant recorded on 18.11.2023, wherein she has stated that, she has no objection for quashing the FIR. The statement is taken on record.

5. Considering the fact that the FIR was registered on account of matrimonial discord between the parties and since there is amicable settlement between them, the FIR can be quashed.

ORDER

(i) Writ Petition No. 5304 of 2021 is allowed.

(ii) The First Information Report dated 24.06.2019 registered with Amboli Police Station vide Crime No. 238 of 2019 for offences under Sections 498-A, 406 r/w 34 of the Indian Penal Code is quashed and set aside.

(N.R. BORKAR, J.)

(PRAKASH D. NAIK, J.)