

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

CRIMINAL WRIT PETITION NO. 3702 OF 2021

1. Nikhil Janardhan Sondkar
2. Jyoti Janardan Sondkar
3. Janardan Sahadev Sondkar

...Petitioners

V/s.

1. The State of Maharashtra
2. Manasi Nikhil Sondkar

...Respondents

Mr. Vaibhav Khanolkar a/w Mr. Pankaj Dhotre for Petitioners.

Mr. Dharmendra Damani, for Respondent No.2.

Mr. S.S. Hulke, A.P.P. for the Respondent No.1-State.

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

DATE : 14th MARCH 2023.

P.C.:-

. By the present Petition, Petitioner No.1-husband, Petitioner No.2-mother-in-law and Petitioner No.3-father-in-law of Respondent No.2-wife have prayed for quashing of C.R. No.617 of 2019 registered with Dahisar Police Station, Mumbai for offences punishable under Sections 498-A, 323, 504, 506 read with Section 34 of Indian Penal Code (*for short 'IPC'*) and charge-sheet filed therein bearing C.C. No.1944/PW/2020 in the Court of Metropolitan Magistrate, 26th Court, Borivali, Mumbai.

2. Learned Advocate for the Petitioners submitted that, the Petitioner No.1 and Respondent No.2 have settled the matter amicably and

have filed 'Consent Terms' dated 06.03.2023 in the Family Court at Mumbai in M.J. Petition No. A-1672/2019. He submitted that, as per clause No.11 of the said 'Consent Terms', the Respondent No.2 herein is to get the said FIR quashed in the proceedings pending before Metropolitan Magistrate. That, the Petitioner No.1 shall pay installment of Rs.2,75,000/- in the form of Demand Draft on the day when parties are approaching this Court for quashing of FIR and the said proceedings.

3. Respondent No.2 has affirmed an Affidavit dated 14.03.2023 conceding to the said fact, including execution of 'Consent Terms' dated 06.03.2023. The said affidavit is accompanied with 'Consent Terms' dated 06.03.2023 and other related photo copies as mentioned in the 'Consent Terms'. The Affidavit dated 14.03.2023 duly affirmed by Respondent No.2 is taken on record and marked 'X' for identification.

Respondent No.2 is personally present in the Court and through her Advocate conceded to the facts mentioned herein above. She through her Advocate submitted that, she has no objection and in fact is having consent for quashing of C.R. No.617 of 2019 registered with Dahisar Police Station, Mumbai and C.C. No.1944/PW/2020 filed therefrom and pending on the file of the Metropolitan Magistrate, 26th Court, Borivali, Mumbai.

4. Learned Advocate for the Petitioners submitted that, as per

clause No.11 of the 'Consent Terms', his client has handed over Demand Draft of Rs.2,75,000/- to Respondent No.2 today in the Court. The photo copy of said Demand Draft is annexed as the last page to the Affidavit of Respondent No.2 dated 14.03.2023.

5. In view of the above, Petition is allowed in terms of prayer clause (b).

(PRAKASH D. NAIK, J.)

(A.S. GADKARI, J.)