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

CRIMINAL APPLICATION NO.1045 OF 2022

Mandar Shekhar Godambe ..Applicant
Versus
Pranali Mandar Godambe
(Pranali Pravin Pisat) & Anr. ..Respondents

**WITH
CRIMINAL APPLICATION NO.994 OF 2022**

Suchitra Shekhar Godambe & Ors. ..Applicants
Versus
Pranali Mandar Godambe & Anr. ..Respondents

Mr. Prashant Badole, for the Applicants.
Mr. Ajay Patil, APP for the Respondent/State.
Mr. C. G. Gavnekar a/w Ashutosh Gavnekar & Rohit Parab, for the
Respondent/Complainant.
Respondent/Complainant in person – present.

**CORAM : NITIN W. SAMBRE &
RAJESH S. PATIL, JJ.**

DATE : 7th SEPTEMBER, 2023

P.C.

1. On 1st December, 2019, the applicant/Mandar got married with the respondent/complainant. Out of matrimonial discord, the offence being Crime No.21 of 2021 came to be registered on 1st February, 2021 for the offence punishable under Sections 498A, 323, 406, 504, 506 r/w 34 of IPC.

2. The applicant/husband along with parents are charge-

sheeted. The charge-sheet and the registration of offence is questioned in both these proceedings, of which quashing is sought by consent. The respondent/complainant is present in the Court and has placed on record affidavit in both these petitions extending consent for quashing. It has been agreed between the parties that the applicant husband shall pay one time alimony of Rs.13,00,000/- within six weeks from the date of execution of the consent terms and same shall be deposited in the Family Court where divorce proceedings are pending. It is claimed that both the parties shall convert the said proceedings in to decree for divorce by mutual consent. It is informed that the amount of Rs.13,00,000/- towards one time alimony shall be permitted to be withdrawn by the respondent/complainant once the consent terms are executed. In the aforesaid background, we have taken on record the affidavit submitted by the respondent/complainant thereby extending consent for quashing. Parties hereto have undertaken that they have withdrawn all the allegations made against each other and intend to part their ways in terms of the consent terms.

3. In this background, as requested having verified by learned APP Mr. Ajay Patil from the respondent/complainant as to the execution of affidavit, which she admits to be a voluntary act, we deem it appropriate to quash and set aside FIR and charge-sheet registered against the applicants, as no purpose will be served in keeping the proceedings pending against the applicants. In view of law laid down by the Apex Court in the matter of **Gian Singh Vs. State of Punjab & Anr.** reported in **(2012)10 SCC 303** and

Narinder Singh & Ors. Vs. State of Punjab & Anr. reported in **(2014) 6 SCC 466**, we deem it appropriate to allow both the applications.

4. Both these applications as such stand allowed, subject to payment of cost of Rs.10,000/- to be paid by the applicants to Janseva Foundation (*Bank Name: Bank of Maharashtra, A/C No.20076764639, IFSC Code: MAHB0000102*) within four weeks and receipt of payment of cost be produced with the Registry within same period, failing which the order of quashing the criminal proceedings against the applicants shall stand recalled.

5. Both these applications as such stand disposed of.

[RAJESH S. PATIL, J.]

[NITIN W. SAMBRE, J.]