

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

CRIMINAL APPLICATION NO. 1046 OF 2023

1. Neelam Dinesh Patel
 2. Sharda Ben Gohil
- ...Applicants

Versus

1. State of Maharashtra
 2. Vikram Mansukh Lal Mirani
- ...Respondents

**WITH
CRIMINAL APPLICATION NO. 912 OF 2023**

Dinesh Raman Patel

...Applicant

Versus

1. The State of Maharashtra
 2. Neelam Dinesh Patel
- ...Respondents

....

Mr. Amol Joshi i/by Mr. Gopal Tripathi, Advocate for the Applicants in Criminal Application No.1046 of 2023 and for Respondent No.2 in Criminal Application No.912 of 2023.

Mr. Umesh Kumar for the Applicant Criminal Application No.912 of 2023 and for Respondent No.2 in Criminal Application No.1046 of 2023

Mrs. M.H. Mhatre, APP for the Respondent – State.

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

DATE : 13th DECEMBER, 2023.

P.C.:

1. Heard both sides. The parties in both the proceedings have resolved the dispute. The joint prayer is made by both sides that the impugned proceedings be quashed by consent as there is amicable settlement between the parties.

2. Criminal Application No.912 of 2023 pertains to the FIR dated 10 July 2015 registered with Dindoshi Police Station, Mumbai vide Crime No.384 of 2015 for offences punishable under Sections 498-A, 420, 323, 504 & 497 of Indian Penal Code (for short "IPC"). Pursuant to registration of First Information Report (for short 'FIR') charge-sheet has been filed. The said FIR was registered at the instance of Respondent No.2/Complainant. She is the wife of the Applicant. Both parties are present in the Court. It is submitted by them that there is settlement between them and the impugned proceedings can be quashed. The Consent Affidavit on behalf of the Respondent No.2/Complainant and the Consent Terms executed between the parties are taken on record.

3. Criminal Application N.1046 of 2023 relates to the FIR dated 26th July 2016 registered with Charkop Police Station, Mumbai vide Crime No.231 of 2016 for offences punishable under Sections 448, 454 r/w Sections 34 of IPC. The FIR has been registered at the instance of Respondent No.2 in the said Petition.

The applicant therein, who is the respondent No.2 in Criminal Application No.912 of 2023 is the accused. There is settlement between the parties. The Affidavit of consent and Consent Terms are placed on record.

4. Considering the nature of proceedings and fact that the parties have resolved the dispute amicably and since the complainant in each case do not wish to pursue the proceedings, prayer for quashing the impugned proceedings can be allowed.

ORDER

- i. Criminal Application No.912 of 2023 is allowed;
- ii. Criminal Proceedings in C.C. No.2529/PW/20 pending before the learned Metropolitan Magistrate, 67th Court at Borivali, Mumbai arising out of FIR No.384 of 2015 registered with Dindoshi Police Station, Mumbai is quashed and set aside.
- iii. Criminal Application No.1046 of 2023 is allowed;
- iv. Criminal Proceedings in C.C. No.2498/PW/2017 pending before the learned Metropolitan Magistrate, 24th Court at Borivali, Mumbai arising out of FIR No.231 of 2016 registered with Charkop Police Station, Mumbai is quashed and set aside.
- v. Both Applications stand disposed of accordingly.

(N. R. BORKAR, J.)

(PRAKASH D. NAIK, J.)