

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 1228 OF 2023**

Amol Ananda Arbune ...Applicant
Versus
The State of Maharashtra and anr. ...Respondents

.....

Mr. Jigar Agarwal for the Applicant.
Ms. M. M. Deshmukh, APP for the State.
Ms. Suman Mourya for Respondent No. 2.

.....

**CORAM : NITIN W. SAMBRE &
N.R. BORKAR, JJ.
DATED : 26 OCTOBER 2023**

P.C. :-

The prayer is for quashing of the FIR being Crime No. 397 of 2018 registered with Kashimira Police Station for the offence punishable under Sections 498-A, 323, 504, 506, 494 of the Indian Penal Code.

2. The applicant and respondent no.2 are husband and wife. The aforesaid crime came to be registered at the instance of respondent No.2.

3. The respondent No.2/complainant has placed on record the

affidavit extending consent for quashing the FIR in question. It is stated that they have amicably sorted out their differences and started cohabiting together.

4. The respondent No.2 is personally present. She confirms the contents of the affidavit.

5. In the wake of aforesaid, no purpose will be achieved in keeping the prosecution pending against the applicant particularly when the respondent/complainant is not going to support the case of the prosecution, as they have amicably settled the differences.

6. 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**, case for quashing is made out. As such, in view of the consent extended, the Application stands allowed in terms of prayer clause (b) subject to payment of cost of Rs. 5,000/- by the applicant to

the Police Welfare Fund viz. “*Mumbai Police Welfare Fund Account No.465010100008693; IFSC code: UTIB0000465; Bank : Axix Bank ; Branch: Lamington Road*” within a period of six weeks from today and the receipt of payment of cost shall be produced with the Registry within same period, failing which the order of quashing the FIR shall stand recalled. The Application is disposed of in aforesaid terms.

(N.R. BORKAR, J.)

(NITIN W. SAMBRE, J.)