

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

CRIMINAL WRIT PETITION NO. 3892 OF 2023

Nandu Machindra Sawane And Ors. ...Petitioners
Versus
The State of Maharashtra And Anr. ...Respondents

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Mr. Dilip Shinde, Advocate for the Petitioners.
Mr. Vishal Narkar, Advocate for Respondent No.2.
Nandu Sawane Petitioner No.1, Present in Person.
Suvarna Sawane Respondent No.2, Present in Person.
Parimal Patil, PSI, Investigating Officer, V.P. Raod Police Station.

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**CORAM : PRAKASH D. NAIK, &
M.M. SATHAYE , JJ.**

DATE : 15th DECEMBER, 2023.

P.C.:

1. The impugned proceedings in Criminal Case No.1168/PW/2018 are pending before the Court of 13th Metropolitan Magistrate, Bhoiwada, Dadar-Mumbai. The proceedings arise out of the First Information Report (for short 'FIR') No.87 of 2016 dated 6th April, 2016 registered with R.A.K. Marg Police Station for offences under Sections 498-A, 406 r/w 34 of Indian Penal Code (for short 'IPC'). FIR is registered at the instance of Respondent No.2.

2. The Petitioner No.1 is the husband of Respondent No.2. The Petitioner No.2 is the wife of brother-in-law of Respondent No.2. Petitioner No.3 to 6 are the sister-in-law of Respondent No.2. The marriage between the Petitioner No.1 and Respondent No.2 was solemnized on 15th August, 2012.

3. The parties have resolved the dispute, by amicable settlement between them. Divorce proceedings are initiated before the Family Court vide M. J. Petition No.A 1804 of 2016 Family Court at Bandra. The Petitioner No.1 and Respondent No.2 has executed the consent terms. They are seeking divorce by mutual consent.

4. The Petitioner No.1 and Respondent No.2 are present in the Court. The Respondent No.2 states that she has no objection for quashing the proceedings in view of settlement. She has filed the affidavit, stating that dispute with the Petitioners is amicably settled and both are residing separately. She has no objection for quashing the proceedings initiated at her instnace.

5. Considering the fact that the dispute was on account of matrimonial discord between the parties, both the parties has arrived at amicable settlement and executed consent terms. The

proceedings can be quashed.

ORDER

- i. Criminal Writ Petition No.3892 of 2023 is allowed;
- ii. The proceedings in Criminal Case No.1168/PW/2018 pending before the Court of 13th Metropolitan Magistrate, Bhoiwada, Dadar-Mumbai are quashed and set aside.
- iii. Petition stands disposed off.

(M.M. SATHAYE, J.)

(PRAKASH D. NAIK, J.)