

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

CRIMINAL APPLICATION NO. 1361 OF 2023

Brahmaditya Mansingh Singh ...Applicant
Versus
The State Of Maharashtra And Anr. ...Respondents

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Mr. Rambaran Lodhi, Advocate for the Applicant.

Mr. Sanjaydutta Gupta, Advocate for the Respondent.

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

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

DATE : 4th DECEMBER, 2023.

P.C.:

1. The Applicant and Respondent No.2 had jointly made request for quashing the proceedings initiated by Respondent No.2 vide C.R. No.313 of 2021, registered with MIDC Police Station for offences under Sections 498(a), 323, 504 and 506 of Indian Penal Code (for short 'IPC'). The First Information Report (for short 'FIR') is culminated into filing of charge-sheet. Proceedings are pending before the Court of learned Metropolitan Magistrate, 22nd Court, Andheri, Mumbai vide C.C. No.509/PW/2023.

2. The Respondent No.2 had also initiated the proceedings

under the Protection of Women from Domestic Violence Act, 2005. the Petitioner/husband had filed the Petition for divorce before the Family Court at Bandra which has been converted into a Petition for divorce by mutual consent. The parties have filed consent terms in the said Petition.

3. It is agreed between the parties that the proceedings under challenge in this Petition be quashed and set aside with the consent of the complainant. The consent terms filed before the Family Court indicate that the impugned proceedings be quashed with the consent of complainant.

4. The Petitioner and the complainant are present in the Court. The complainant has filed affidavit. In the affidavit it is stated that she has no objection for quashing the proceedings initiated by her. Affidavit is taken on record.

5. The proceedings had arisen out of matrimonial discord between the parties. There is amicable settlement between the parties. They have executed the consent terms. Hence, we do not see any impediment in allowing the application.

ORDER

- i. Criminal Application No.1361 of 2023 is allowed;
- ii. The proceedings pending before the Court of learned Metropolitan Magistrate, 22nd Court, Andheri, Mumbai vide

C.C. No.509/PW/2023 are quashed and set aside.

iii. Criminal Application stands disposed of accordingly.

(N. R. BORKAR, J.)

(PRAKASH D. NAIK, J.)