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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 1420 OF 2023

Sudhakar Sudhir Tawde s/o.
Sudhir Tawde and others ... Applicants

Versus

Apurva Sudhakar Tawde and another ... Respondents

.....

Mr. Dashrath Parab alongwith Mr. Archit Manurkar for the Applicants.
Mr. Stavan Telgote instructed by Mr. Prashant Gurav for Respondent No.1.

Ms. M.H. Mhatre, APP for the State.

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

DATED : 14th DECEMBER 2023

P.C. :-

. Leave to amend prayer clause (a) is granted. Amendment to be carried out forthwith.

2. The Applicants are charge-sheeted for the offences under Sections 498A, 323, 406, 504 r/w. 34 of Indian Penal Code. First Information Report (FIR) was registered on 28th May 2022 with Samta Nagar Police Station vide Crime No. 768 of 2022 at the instance of Respondent No.1.

3. Applicant No.1 is husband and Applicant No.2 is mother-in-law of Respondent No.1. Applicant No.3 is uncle of Applicant No.1 and Applicant No.4 is sister of Applicant No.1.

4. Parties have resolved the dispute. Divorce proceedings are pending before the Family Court at Bandra. Consent Terms are filed in the said proceedings. Applicant No.1 and Respondent No.1 have agreed to dissolve their marriage by mutual consent.

5. As per the consent terms, the Respondent No.1 has agreed for quashing the impugned charge-sheet.

6. Respondent No.1 is present in Court. She has filed an Affidavit. In paragraph 7 of the Affidavit, it is stated that in consent terms dated 17th October 2023, the Applicant No.1 had agreed to return the articles belonging to Respondent No.1 at the time of quashing the proceedings. Respondent No.1 has no objection for quashing the FIR registered at her instance vide Crime No. 768 of 2022 which is the subject matter of C.C. No. PW/256/2023 pending before the learned Metropolitan Magistrate, 17th Court, Borivali, Mumbai.

4. Considering the fact that the dispute was on account of matrimonial discord and the parties have resolved the dispute, the proceedings can be quashed.

ORDER

(i) Criminal Application No. 1420 of 2023 is allowed.

(ii) Proceedings in CC No. PW/256/2023 pending before the learned Metropolitan Magistrate, 17th Court, Borivali, Mumbai are quashed and set aside.

(N.R. BORKAR, J.)

(PRAKASH D. NAIK, J.)