

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 2006 OF 2023

Ajay Laxman Bhise and others ... Petitioners

Versus

The State of Maharashtra and another ... Respondents

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Mr. Raja Thakare, Senior Advocate alongwith Mr. Akash Kavade for the Petitioners.

Mr. S.E. Phad, APP for the State.

Mr. Limbraj Pawar for Respondent No.2.

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

DATED : 22nd FEBRUARY 2024

P.C. :-

. Leave to amend the prayer clause. Amendment to be carried out forthwith.

2. The Petitioners are challenging the first information report dated 6th October 2022 registered with Kolhapur Police Station vide Crime No.779 of 2022 for offences under Sections 323, 498A, 504, 506 r/w. 34 of IPC. The first information report is registered at the instance of Respondent No.2.

3. The Petitioner No.1 is the husband, Petitioner No.2 is mother-in-law, Petitioner No.3 is brother-in-law of Respondent No.2.

4. The matter was referred to mediation. The mediation report is submitted to the Court. The report indicates that the parties have settled the dispute and executed consent terms before the Mediator. The consent terms are forwarded alongwith the mediation report. The

consent terms indicate settlement between the Petitioners and Respondent No.2 and that Respondent No.2 has agreed to withdraw and/or quash the impugned proceedings.

5. Respondent No.2 is present in Court through video-conferencing. She has admitted the contents of the consent terms and expressed her consent for quashing the impugned proceedings. She is represented by the Advocate.

6. Learned Counsel for Respondent No.2 submitted that in view of the settlement between both the sides and since the complainant has no objection for allowing this Petition, the impugned proceedings may be quashed.

7. The mediation report alongwith the consent terms are taken on record. The dispute had arisen due to matrimonial discord between the parties. The differences are resolved. Consent terms are executed. Hence, the impugned proceedings can be quashed.

ORDER

- (i) Criminal Writ Petition No. 2006 of 2023 is allowed.
- (ii) The proceedings in Regular Criminal Case No.277 of 2023 pending before the Court of learned Chief Judicial Magistrate, Kolhapur arising out of FIR No.779 of 2022 registered by Respondent No.2 with Shahupuri Police Station, Kolhapur are quashed and set aside.
- (iii) Respondent No.2 is permitted to withdraw the amount of Rs.12 Lakhs deposited by the Petitioner No.1 in this Court.
- (iv) Writ Petition stands disposed off.

(N.R. BORKAR, J.)

(PRAKASH D. NAIK, J.)