

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 43 OF 2024**

Ismail Asif Baig and ors. ... Applicants
Versus
The State of Maharashtra and anr. ... Respondents

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Mr. Mohammed Javed Idris for the Applicant.
Ms. M. M. Deshmukh, APP for the State.
Ms. Sharon Patole for Respondent No. 2.

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

DATED : 13.02.2024

P.C. :-

The applicants are seeking quashing of the First Information Report dated 11.06.2022 lodged with Bandra Police Station vide Crime No. 1112 of 2022 for offences under Sections 498-A, 504, 506 r/w 34 of the Indian Penal Code with the consent of the respondent No. 2.

2. The FIR has been registered by respondent No. 2.

3. It is jointly submitted that the parties have amicably settled the dispute and the respondent No. 2 is residing with the applicants. The Respondent No. 2 has no objection for quashing the FIR and consequential charge-sheet filed in the case.

4. The applicant No. 1 and respondent No. 2 are present in the Court. They have filed joint affidavit. They confirmed the

contents of the joint affidavit. It is stated that they have amicably settled all the disputes and resumed cohabitation as a married couple and family. Their daughter aged 6 years is also residing with them. They have resolved their dispute and happily living together as husband and wife alongwith the daughter. Since the husband/wife have resumed cohabitation, the respondent no. 2 does not have any grievance and no claims against the applicants. She has no objection for quashing the proceedings.

5. Considering the fact that the parties have resolved the dispute and the applicant No. 1 and respondent No. 2 has resumed cohabitation and happily living together alongwith their daughter, the relief sought in this petition can be allowed.

ORDER

- (i) Criminal Application No. 43 of 2024 is allowed.
- (ii) The criminal proceedings bearing CC No. 2350/PW/22 pending before the Court of learned Metropolitan Magistrate, 12th Court Bandra, Mumbai arising out of Crime No. 1112 of 2022 for offences under Sections 498-A, 504, 506 r/w 34 of the Indian Penal Code are quashed and set aside.

(N.R. BORKAR, J.)

(PRAKASH D. NAIK, J.)