

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

CRIMINAL WRIT PETITION NO. 1508 OF 2024

Rizwan Rahim Khan and Ors. ...Petitioners
Versus
State Of Maharashtra And Anr. ..Respondents

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PATIL

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Mr. Nazmeen Shaikh, for the Petitioners.
Ms. K.T. Hiwrale, APP for the Respondent-State.
Ms. Tanvi Rane i/b. Aisha Shaikh for Respondent No. 2.

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**CORAM : PRAKASH D. NAIK, &
N. R. BORKAR, JJ.
DATE : 23rd APRIL, 2024.**

P.C.:

1. Not on board. Taken on Board.
2. The Petitioners are prosecuted for the offences punishable under sections 498A, 354, 509, 504 r/w 34 of the Indian Penal Code (for short 'IPC').
3. The proceedings are arising out of FIR dated 18/08/2022 registered with Mumbra Police Station vide C.R. No. 753 of 2022 at the instance of Respondent No. 2.
4. The Applicant No. 1 is the husband, the applicant No. 2 is the mother-in-law, Applicant No. 3 is the father- in-law, Applicant No. 4 is the sister-in-law and the Applicant No. 5 is the uncle of Petitioner No. 1. The grievance of the complainant was that after her

marriage with Petitioner No. 1, she was ill-treated by the accused. She was assaulted and subjected to harassment.

5. The parties have resolved their differences and agreed for quashing the impugned proceedings. They have executed the consent terms. In view of the settlement, the proceedings initiated by Respondent No. 2 under the Domestic Violence Act and Section 125 of the Code of Criminal Procedure are withdrawn. The marriage has been dissolved with mutual consent. Streedhan of the complainant has been returned to her.

6. Both the parties are represented by their Advocates. The complainant is present in the Court. The consent terms are taken on record. The consent terms stipulate that there is an amicable settlement between the parties. Petitioner No. 1 and Respondent No. 2 have dissolved their marriage. Both of them have agreed to withdraw the allegations and withdrawal of the cases, quashing the impugned FIR. The streedhan is returned to Respondent No. 2. The writing is executed with regards to the future conduct of the parties, restraining each other from doing certain acts.

7. Considering the fact that the dispute was on account of matrimonial discord between the parties, which has been resolved

by executing the consent terms, the impugned proceedings can be quashed.

ORDER

- i) Writ Petition No.1508 of 2024 is allowed and disposed off;
- ii) Criminal Proceedings in R.C.C. No 751 of 2023 pending before the JMFC, Thane, which are arising out of FIR No.753 of 2022 registered with Mumbra Police Station, is quashed and set aside.

(N. R. BORKAR, J.)

(PRAKASH D. NAIK, J.)