

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL WRIT PETITION NO. 723 OF 2024**

Satish Fatechand Kamdar

...Petitioner

Versus

State Of Maharashtra And Ors

...Respondents

Mr. M. S. Adenwala a/w Moin Cutlerywala and Mohanaz B.  
Advocates for Petitioner.

Ms. Sapana Rachure for Respondent No.5.

Ms. Kirti T. Hivrale, APP for Respondent-State.

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

**DATE : 5<sup>th</sup> MARCH 2024**

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**P.C.:-**

1. Not on board. Taken on board.
2. Petitioner is challenging the proceedings in C.C. No.2034/PW/2021 pending before the learned Metropolitan Magistrate, 30<sup>th</sup> Court, Kurla, Mumbai arising out of FIR dated 16<sup>th</sup> October 2019 registered with Matunga Police Station vide C.R. No. 240 of 2019, for offence under Section 380 of Indian Penal Code, 1860. On completing investigation, charge-sheet is filed. It is submitted that, further investigation was conducted and charge under Section 420 of I.P.C. was added.
3. Dispute is amongst the family members. Respondents are the son and daughter-in-law of complainant. Petitioner is the original complainant.

Parties have resolved their differences. They jointly submitted that, the impugned proceedings may be quashed with the consent of petitioner.

4. Petitioner is the senior citizen aged around 83 years. He is present in the Court. He has asserted that, the impugned proceedings may be quashed and he has no objection for allowing the prayer in this petition as he wants to live in peace and harmony.

5. It was brought to out notice that, parties had executed consent terms dated 22<sup>nd</sup> February 2024 between both the sides. In terms of consent terms, it is agreed that, the impugned proceedings can be quashed. Considering the nature of dispute and since the parties have resolved their differences, the impugned proceedings can be quashed.

**ORDER**

- (i) Criminal Writ Petition No.723 of 2024 is allowed.
- (ii) The impugned proceedings in C.C. No.2034/PW/2021 pending before the learned Metropolitan Magistrate, 30<sup>th</sup> Court, Kurla, Mumbai arising out of FIR dated 16<sup>th</sup> October 2019 registered with Matunga Police Station is quashed and set aside.
- (iii) Petition stands disposed off.

**(N. R. BORKAR, J.)**

**(PRAKASH D. NAIK, J.)**