

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

CRIMINAL APPLICATION NO. 304 OF 2024

Nikhil Hari Shinde And Ors. ... Applicants
Versus
The State of Maharashtra And Anr. ... Respondents

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Mr. Pratik Kalantri, Advocate for the Applicants.

Mr. Chetan Deshmukh, for Respondent No.2.

Mr. V. A. Kulkarni, APP for the Respondent No.1 – State.

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

DATE : 7th MARCH, 2024.

P.C.:

1. Not on board. Taken on Board.
2. The First Information Report (for short 'FIR') was registered with Indira Nagar Police Station, Nashik City on 15.09.2021 vide C.R. No.178 of 2021 for offences under Section 498-A, 341, 377 r/w Section 34 of Indian Penal Code (for short "IPC") and Section 66(D) of the Information Technology Act.
3. The FIR was registered at the instance of Respondent No.2. The marriage between the Petitioner and Respondent No.2 was solemnized on 27.01.2020. The Petitioner No.1 is husband, Petitioner No.2 is mother-in-law, Petitioner No.3 is father-in-law, Petitioner No.4 is brother-in-law, Petitioner No.5 & 6 are sister-in-

laws of Respondent No.2. It is submitted that the parties have resolved the dispute. Petitioner No.1 is in USA. Charge-sheet is filed against Petitioner Nos.2 to 7. The FIR was registered against all the Petitioners. However, charge-sheet is filed against Respondent Nos.2 to 7. Petitioner No.1 is present in the Court through Video Conferencing. The Respondent No.2 is present in the Court.

4. The Respondent No.2 has filed an affidavit dated 06.03.2024 stating that she had preferred an application under the provisions of Domestic Violence Act before the concerned Court. Interim order was passed in the said proceedings. She has also lodged the impugned FIR. The matter was referred to mediation. The dispute was resolved amicably and in furtherance of the settlement, joint compromise pursis was drafted and signed wherein the terms of settlement were written down. In view of the settlement and to maintain harmony and peaceful relationship between both the parties, the Petitioners and Respondent No.2 have resolved the dispute amicably and the Petitioner No.1 has agreed by the terms and conditions of the compromise pursis. Considering the said circumstances she has no objection for quashing the FIR. She do not wish to pursue any legal proceedings against the Petitioner in the subject matter to due abidance of terms and conditions of the

compromise pursis. It is further stated that the Petitioner No.1 has agreed to pay an amount of Rs.30,00,000/- towards one time alimony and maintenance to Respondent No.2. The amount of Rs.2,00,000/- is already parted to Respondent No.2. It is jointly submitted by both the sides that Demand Draft of Rs.14,00,000/- is handed over to Respondent No.2 in the Court today. The balance amount of Rs.14,00,000/- has to be given to Respondent No.2 at the time of final decree of divorce.

5. Considering the fact that the dispute was on account of matrimonial discord between the parties, the proceedings can be quashed.

ORDER

- i. Criminal Application No.304 of 2024 is allowed;
- ii. Criminal Proceedings in R.C.C. No.1075 of 2022 pending before the learned J.M.F.C., Nashik which are arising out of FIR No.178 of 2021 registered with Indira Nagar Police Station, Nashik City is quashed and set aside.
- iii. Application stands disposed of accordingly.

(N. R. BORKAR, J.)

(PRAKASH D. NAIK, J.)