

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

CRIMINAL APPLICATION NO. 336 OF 2024

Karansing Daulatsingh Paul And Ors. ...Applicants
Versus
The State of Maharashtra and Anr. ...Respondents

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Mr. Sachin Gite, Advocate for the Applicants.

Mr. Sarfaraj J. Shaikh for Respondent No.1.

Ms. K. T. Hivrale, APP for the Respondent – State.

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

DATE : 20th MARCH, 2024.

P.C.:

1. Not on board. Taken on Board.
2. The Applicants have challenged the FIR dated 30th November 2023 registered with Ambad Police Station, Nashik City vide C.R. No. 744 of 2023 for offences under Sections 498-A, 323, 506, 504 read with 34 of the Indian Penal Code, 1860.
3. The FIR is registered at the instance of Respondent No.2. Applicant No.1 is husband, Applicant No.2 is mother-in-law, Applicant No.3 is sister-in-law of Respondent No.2 and Applicant No.4 is mother-in-law of applicant No.3.

4. It is submitted that, the parties have resolved the dispute. Petition has been filed before the Family Court for divorce by mutual consent and the said petition is pending. In the petition for divorce by mutual consent, the parties have executed terms of settlement.

5. Applicant No.1 and Respondent No.2 are present in the Court. Respondent No.2 is represented by Advocate. She has filed Affidavit. She has expressed her consent for quashing the impugned proceedings in view of settlement. In the affidavit it is stated that dispute between the applicants and complainant/respondent No.2 have been amicably settled as per contained in the Petition No. 115 of 2024 pending before the Family Court. As per terms of petition, the complainant had received demand draft dated 22nd February 2024 for an amount of Rs.5,00,000/-. It is submitted by the Advocates representing both the sides that the demand draft of Rs.5,00,000/- which is drawn in the name of daughter and the balance amount of Rs.10,00,000/- towards alimony would be paid to the Respondent No.2 after divorce of decree is passed. Even the demand draft which has been issued in favour of daughter would be handed over on the date of decree passed in the petition for divorce by mutual consent.

6. Since the parties have resolved the dispute which was on account of matrimonial discord between them, the FIR can be quashed.

ORDER

- (i) Criminal Application (APL) No. 336 of 2024 is allowed.
- (ii) The impugned FIR dated 30th November 2023 registered with Ambad Police Station, Nashik City vide C.R. No. 744 of 2023 is quashed and set aside against the applicants.
- (iii) Learned Advocate Mr. Shaikh appearing for Respondent No.2 undertakes to file vakalatnama within a period of one week.
- (iv) Application stands disposed off.

(N. R. BORKAR, J.)

(PRAKASH D. NAIK, J.)