

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.308 OF 2021

Suraj Balu Sapkal and others	Applicants
versus	
The State of Maharashtra	Respondent

Mr.Siddhesh R. Samel, Advocate for Applicants.
Ms.M.M.Deshmukh, Additional PP for State.
Ms.Reecha Khajuria, Advocate for Respondent no.2.

CORAM : PRAKASH D. NAIK AND
N.R.BORKAR, JJ.

DATE : 1st March 2024

PC :

1. Petitioners are charge sheeted for the offences u/s.498-A, 504 r/w 34 of Indian Penal Code. Proceedings are pending before the Court of learned Metropolitan Magistrate, 50th Court, Vikroli, Mumbai vide C.C No.465/PW/2021.
2. The FIR was registered at the instance of Respondent no.2 on 3rd February 2020 alleging that she was harassed by the accused. Petitioner no.1 is the husband, Petitioner no.2 is father-in-law and Petitioner no.3 is mother-in-law.
3. The parties have resolved the dispute and executed consent terms.
4. Respondent no.2 is present in the Court. She has filed affidavit along with consent terms. She has confirmed the contents of affidavit and expressed her consent for quashing the proceedings.

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5. In the affidavit filed by Respondent no.2/complainant it is stated that Petition was filed by Respondent no.2 before Family Court viz Petition No.A/1476/2022 and in the said petition consent terms were filed and it is agreed to dissolve marriage by mutual consent. She has no objection for quashing the proceedings under challenge in this petition. The affidavit along with consent terms is taken on record.

6. Since the parties have resolved the dispute, the impugned proceedings can be quashed.

ORDER

- (i) Criminal Application No.308 of 2021 is allowed and disposed off;
- (ii) The proceedings in C.C No.465/PW/2021 pending before the Court of Metropolitan Magistrate, 50th Court, Vikroli, Mumbai, arising out of FIR No.64 of 2020 registered with Pant Nagar Police Station, Mumbai, are quashed and set aside.

(N.R.BORKAR, J.)

(PRAKASH D. NAIK, J.)

MST