

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
APPLICATION NO. 769 OF 2023**

1. Ravindra S. Yadav
2. Mrs. Phoolkumari S. Yadav
3. Mrs. Renu S. Yadav
4. Mrs. Rekha V. Sharma
5. Mr. Vishal S. Sharma
6. Mr. Dhyanchand Yadav
7. Mr. Rajendra Yadav
8. Mr. Surendra Yadav. ...Applicants

Versus

1. Mrs. Jyoti R. Yadav @ Miss Jyoti B. Rana
2. The State of Maharashtra ...Respondents

Mr. Hitesh Magar a/w. Mr. Shubhakar Ghosh for the Applicants.
Mr. V.A. Kulkarni, APP for the Respondent No.2/State.
Ms Jyoti R. Yadav, Respondent No.1 in person is present.
Mr. Ravindra Yadav, Applicant No.1 is present.

**CORAM : PRAKASH D. NAIK &
N. R. BORKAR, JJ.**
DATE : 17.04.2024.

PC:-

1. The applicants are charge-sheeted for the offence under Sections 498-A, 323, 504 and 506 read with 34 of the Indian Penal Code and the said proceedings are pending in the Court of 5th Jt. Civil Judge, Junior Division and J.M.F.C., Kalyan vide R.C.C. No.517 of 2021. The First Information Report (FIR) dated 19.1.2021 was registered at the instance of respondent No.1 with Kolsheewadi Police Station, Kalyan vide C.R. No.30 of 2021.

2. Applicant No.1 is the husband, applicant No.2 is the mother-in-law, applicant Nos.3 and 4 are the sister-in-laws and applicant Nos.6, 7 and 8 are the brother-in-laws of respondent No.1. Applicant No.5 is the husband of applicant No.4.

3. It is submitted that the parties have resolved the dispute and the complainant has no objection for quashing the proceedings.

4. Respondent No.1/complainant is present in the court. It is submitted that she is Advocate by profession. She has produced the Aadhar Card as proof of her identification. Respondent No.1 has stated that she has no objection for quashing the proceedings.

5. Respondent No.1 has filed the affidavit. In the affidavit, it is stated that the petition for divorce by mutual consent is filed before the court at Kalyan. Respondent No.1 has voluntarily agreed with the terms and conditions of the mutual divorce petition and there is no coercion or undue influence or force upon her for arriving at this settlement. She has lodged the FIR out of misunderstanding. The matter has been settled between the parties. She has received the amount of Rs.6,50,000/- by way of final settlement from petitioner No.1. The affidavit is taken on record.

6. Considering the nature of dispute and the fact that the parties have resolved the dispute, the impugned proceedings can be quashed.

ORDER

A] Criminal Application is allowed.

B] The proceedings in R.C.C.No.517 of 2021 pending in the Court of 5th Jt. Civil Judge, Junior Division and J.M.F.C., Kalyan arising out of FIR dated 19.1.2021 registered with Kolshewadi Police Station, Kalyan vide C.R. No.30 of 2021 against the applicants are quashed and set aside.

(N.R. BORKAR, J.)

(PRAKASH D. NAIK, J.)