

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1294 OF 2024

Amol Shejwalkar and anr ...Petitioner(s)

Versus

State Of Maharashtra And Anr ...Respondent(s)

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Mr. Akash A. Singh a/w Amin Patel, Advocates for the Petitioner.

Mr. Y. M. Nakhwa, APP for the Respondent – State.

Ms. Priyanka R. Barot for the Respondent No.2.

Mr. Amol Shejwalkar, Petitioner no.1-in person present.

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

DATE : 16th APRIL, 2024.

P.C.:

1. Not on board. Taken on board.
2. Petitioners are charge-sheeted for the offences punishable under Sections 498(A), 406, 323, 504, 506 read with Section 34 of the Indian Penal Code, 1860. FIR was registered at the instance of Respondent No.2. Petitioner No.1 is the husband, Petitioner No.2 is mother-in-law, Petitioner No.3 is brother-in-law of Respondent No.2. Petitioner No.4 is the sister of Petitioner No.2. Petitioner Nos.5 to 10 are relatives of Petitioner No.1, Petitioner No.6 has expired on 16th September, 2022.

3. Parties have settled the dispute. They have executed MoU. It is agreed between the parties that the impugned proceedings can be quashed with the consent of the complainant. They have mutually agreed that the final amount of permanent alimony is to be given to Respondent No.2 in the sum of Rs.33 Lakhs. Petitioner No.1 has already transferred an amount of Rs.20 Lakhs via RTGS. It is submitted that the balance of Rs.13 Lakhs was agreed to be given to the complainant in three installments. Petitioner No.1 has already parted with the complainant 2 installments in the sum of Rs.4,30,000/- each and the balance of Rs.4,40,000/- is pending and agreed to be paid at the time of final decree of divorce.

4. Respondent No.2 is present in Court. She has no objection for quashing the FIR. She is represented by the Advocate. She has filed an affidavit of consent. MoU executed between the parties has been annexed to the affidavit.

5. Considering the nature of the dispute and since it is resolved by the parties, the impugned proceedings can be quashed.

ORDER

- i) Criminal Writ Petition No.1294 of 2024 is allowed and disposed off;

- ii) Proceedings in RCC No.114 of 2021 pending before the Joint 19th Civil Judge Junior Division, Nasik arising out of FIR No.349 of 2020 dated 13th October, 2020 registered with Mumbai Naka Police Station, Nasik is quashed and set aside.

(N. R. BORKAR, J.)

(PRAKASH D. NAIK, J.)