

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO. 541 OF 2024**

|                                      |                |
|--------------------------------------|----------------|
| Akshay Nandkumar Bandivadekar & Anr. | ...Applicants  |
| Versus                               |                |
| State of Maharashtra & Anr.          | ...Respondents |

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Mr. Jigar Agarwal a/w Mr.Niranjan Kondyala a/w Sunil Kumar Gupta a/w Mr. Babu Singh i/by Amrish Salunke, Advocate for the Applicants.

Mrs. M. M. Deshmukh, APP for Respondent-State.

Mr. Kanhaiya S. Yadav a/w Mr. Ankit S. Dubey and Vinod Gupta Advocate for Respondent No.2.

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

**DATE : 19<sup>th</sup> APRIL 2024**

**P.C.:-**

1. Not on Board. Taken on Board.
2. The FIR is registered with M. H. B. Colony Police Station, Mumbai vide C.R. No. 39 of 2023 on 23<sup>rd</sup> January 2023 for offences under Sections 498-A, 323, 406, 504, 506 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 and Applicant No.2 is mother-in-law of Respondent No.2.

4. The parties have arrived at amicable settlement. The consent terms are executed. They have agreed to dissolve their marriage. The petition for divorce is filed by applicant No.1. It is agreed to be converted into petition for divorce by mutual consent under Section 13-B of the Hindu Marriage Act. The consent terms are placed on record. The applicant No.1 and respondent No.2 are present in the Court. The respondent No.2 is represented by Advocate. She has filed affidavit of no objection for quashing FIR.

5. It is agreed between the parties that, the amount of Rs. 28,00,000/- is to be given to respondent No.2. The first installment of Rs.7,00,000/- is handed over to the complainant in the Court. The same is accepted by respondent/complainant. The balance amount is agreed to be given to respondent No.2 as per consent terms.

6. Considering the fact that, the dispute was on account of matrimonial discord between the parties which has been settled, the FIR can be quashed.

### **ORDER**

- (i) Criminal Application (APL) No. 541 of 2024 is allowed;
- (ii) The impugned FIR dated 23<sup>rd</sup> January 2023 registered with M. H. B. Colony Police Station, Mumbai vide C.R. No. 39 of 2023 is quashed and set aside.

(iii) The parties shall adhere to the undertakings reflected in the consent terms.

(iv) Application stands disposed off.

**(N. R. BORKAR, J.)**

**(PRAKASH D. NAIK, J.)**