

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
APPLICATION NO. 875 OF 2022**

1. Nikhil C. Waghushkar
 2. Chandrashekhar N. Waghushkar
 3. Pushpa C. Waghushkar
 4. Sharayu A. Jadkar
- ...Applicants

Versus

1. State of Maharashtra
 2. Anuja N. Waghushkar
- ...Respondents

Ms Sangita S. Katkar for the Applicants.
Mr. A.S. Shalgaonkar, APP for the Respondent/State.
Mr. Nitin P. Deshpande for Respondent No.2.

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

PC:-

1. The applicants are arraigned as accused vide FIR dated 28.4.2022 registered with Kothrud police station, Pune vide C.R. No.107 of 2022 for the offence under sections 498-A, 406, 504 read with 34 of the Indian Penal Code.
2. The FIR is registered at the instance of respondent No.2. The marriage between respondent No.2 and applicant No.1 was performed on 7.5.2019. Applicant No.2 is father-in-law, applicant No.3 is the mother-in-law and applicant No.4 is the sister-in-law of respondent No.2.

3. It is jointly submitted that the parties have resolved the dispute amicably. The parties have executed the consent terms before the trial Court.

4. Respondent No.2 is present in the Court. Applicant Nos.1 and 3 are present in the Court. Respondent No.2 has filed the affidavit. She is represented and identified by the Advocate.

5. In the affidavit of respondent No.2, it is stated that she is giving her consent/no objection for quashing the impugned FIR and the proceedings. As agreed the terms and conditions of mutual settlement between application No.1 and the complainant, the applicant No.1 has agreed to pay amount of Rs.17 lakhs. The entire amount of Rs.17 lakhs has been parted to the complainant. The parties had agreed for divorce by mutual consent and vide order dated 8.4.2024, the Family Court Pune has allowed the petition for divorce by mutual consent. Alongwith affidavit filed by the complainant, the photocopy of the demand drafts in respect of amount parted to the complainant has been annexed. Streedhan of the complainant is also parted to her. The affidavit is taken on record.

6. The FIR was registered on account of matrimonial discord. The matter was referred to mediation. The dispute is settled during the course of mediation. Considering the nature of dispute and the amicable settlement arrived at between the parties, the impugned proceedings are required to be quashed.

ORDER

- a] Criminal Application is allowed.
- b] The proceedings in R.C.C. No. 1147 of 2023 pending in the Court of J.M.F.C, Court Room No.1, Pune arising out of FIR dated 28.4.2022 registered with Kothrud Police Station bearing C.R. No.107 of 2022 against the applicants are quashed and set aside.

(N.R. BORKAR, J.)

(PRAKASH D. NAIK, J.)