

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 4138 OF 2022**

Venurajan K. ...Petitioner
Versus
1. State of Maharashtra
2. Seema Gopalan ...Respondents

Ms Tulsi Kunnwar i/b Ms Chhaya Kharatmol for the Petitioner.
Ms Rutuja Ambekar, APP for the Respondent/State.
Ms Saili Dhuru, Appointed Advocate for Respondent No.2.

**CORAM : PRAKASH D. NAIK &
N. R. BORKAR, JJ.
DATE : 02.04.2024.**

PC:-

1. Not on board. Taken on board.
2. The petitioner is charge-sheeted for the offences under Sections 498-A, 323, 504 and 506 of the IPC. The FIR was registered on 15.09.2018 with Panvel city Police Station vide C.R. No. 485 of 2018 at the instance of respondent No.2.
3. It is jointly submitted that the parties have resolved the dispute and their marriage has been dissolved by way of decree of divorce by mutual consent.
4. Respondent No.2/complainant is present in the court. She has no objection for quashing the impugned proceedings. She

is represented by Advocate. She has filed affidavit dated 2.4.2024 stating that she had filed the petition for divorce under Section 13(1)(ia) of Hindu Marriage Act and the same was converted into the petition under Section 13-B of the Hindu Marriage Act for decree of divorce by mutual consent. The petition was allowed vide order dated 15.1.2024 and the marriage has been dissolved. The terms and conditions mutually decided between the parties are complied. The petitioner and respondent No.2 have amicably settled the dispute and respondent No.2 has no objection if the present petition is allowed. Respondent No.2 expressly gave her consent for quashing the FIR bearing No. 485 of 2018. Along with the affidavit, a copy of petition for divorce which contains the terms and settlement and the decree of divorce by mutual consent are annexed.

5. Considering the fact that the dispute was on account of matrimonial discord between the parties and respondent No.2/ complainant has no objection for quashing the impugned proceedings, the reliefs sought in this petition can be allowed.

ORDER

- a] Writ Petition is allowed.
- b] The proceedings in R.C.C. No. 787 of 2019 pending before the Court of J.M.F.C., Panvel arising out of FIR dated 15.9.2018 registered with Panvel City Police Station vide C.R. No. 485 of 2018 are quashed and set aside against the petitioner.

(N.R. BORKAR, J.)

(PRAKASH D. NAIK, J.)