

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO. 996 OF 2023

1. Vinay Mukund Sutrave
2. Mukund Krishnarao Sutrave
3. Shobha Mukund Sutrave
4. Chinmay Mukund Sutrave ..Applicants

v/s.

The State of Maharashtra & Anr. ..Respondents

Mr. Marmik Shah for the Applicants.
Mr. Amandeep Singh Sra for the Respondent No.2.
Mrs. M.M.Deshmukh, APP for the State.

**CORAM : ANUJA PRABHUDESSAI, &
N. R. BORKAR, JJ.
DATED : 18th JANUARY, 2024.**

P.C.

1. This application under Section 482 of Cr.P.C. is to quash the C.R. No. 21 of 2022 registered with Waliv Police Station, Dist Thane for offences punishable under Section 498A, 323, 504, 506 r/w. 34 of the Indian Penal Code and RCC No. 1153 of 2022, arising therefrom, pending on the file of the learned JMFC, 4th Joint Civil Judge, JMFC Court at Vasai, Thane.

2. The aforesaid crime was registered pursuant to the FIR lodged by respondent no.2. The marriage of respondent no.2 and

petitioner no.1 was solemnized on 13.08.2020. Respondent no.2 lodged the FIR on 5.1.2022 alleging that her husband and his family members had subjected her to physical and mental cruelty. On the basis of the allegations made in the FIR, the aforesaid crime came to be registered, and upon completion of investigation chargesheet came to be filed before the learned JMFC, Vasai.

3. Learned Counsel for the applicant and respondent no.2 state that the parties have resolved their differences and are living together. Respondent no.2 has agreed to withdraw the criminal proceedings against the applicants. They have placed on record the affidavit as well as additional affidavit filed by the respondent no.2.

4. The respondent no.2 is present before us. She is identified by the advocate. She confirms that the matrimonial dispute is amicably settled. She has stated that she has reconciled and that she and applicant no.1 are living together, and that she is five months pregnant.

5. In our considered view, the settlement is genuine and voluntary. Considering that the parties have put an end to their

matrimonial dispute, continuance of criminal proceedings will not only be a futile exercise and will be an abuse of process of court. Hence, this is a fit case to exercise powers under Section 482 of Cr.P.C.

6. Under the circumstances, the application is allowed in terms of prayer clause (a).

. Crime No. 21 of 2022 registered with Waliv Police Station, Dist Thane and the consequent proceeding RCC No. 1153 of 2022, pending on the file of the learned JMFC, 4th Joint Civil Judge, JMFC Court at Vasai, Thane is hereby quashed.

(N.R.BORKAR, J.)

(ANUJA PRABHUDESSAI, J.)