

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

**WRIT PETITION NO. 3764 OF 2022
WITH
INTERIM APPLICATION NO. 1833 OF 2024
IN
WRIT PETITION NO. 3764 OF 2022**

YUGANDHARA
SHARAD
PATIL

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Abhijeet Dilip Sapkal And Anr ...Petitioners
Versus
State Of Maharashtra And Anr ...Respondents

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Mr. Mahesh Rawool i/b Avinash B. Avhad for the Petitioners.
Mrs. M.M. Deshmukh, Addl.APP for the Respondent – State.
Ms. Pranita P. Hingmire for Respondent No. 2.

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**CORAM : PRAKASH D. NAIK, &
N. R. BORKAR, JJ.
DATE : 23rd APRIL, 2024.**

P.C.:

1. The Petitioners are prosecuted for the offences punishable under sections 323, 498-A, 504, 506 r/w 34 of the Indian Penal Code. The First information Report (for short 'FIR') dated 06/04/2022 was registered in Ozar Police Station, Nashik Rural, vide C.R. No. 42 of 2022 at the instance of Respondent No. 2. It was alleged that pursuant to the complainant's marriage with Petitioner No. 1, she was ill-treated by the accused. The marriage was performed on 21/02/2021.

2. Petitioner No. 1 is the husband, Petitioner No. 2 is the

mother in law, Petitioner No. 3 is the father in law, Petitioner No. 4 is the brother in law and Petitioner No. 5 is the wife of Petitioner No. 4.

3. It is submitted that the dispute has been settled between the parties. The proceedings can be quashed with the consent of the complainant.

4. The complainant is present in the Court. She is represented by Advocate. She has filed the affidavit. The contents of the affidavit indicates that the parties have decided to part ways and amicably settled all the disputes between them. Petitioner No. 1 has filed a Marriage Petition before the Family Court at Nashik for divorce by mutual consent. The Complainant has agreed to give consent for divorce by mutual consent . Petitioner No. 1 has deposited demand draft of Rs. 6 lakhs before the Family Court, Nashik. The complainant has no objection for quashing the proceedings arising out of the impugned FIR dated 06/04/2022. The amount of Rs. 6 lakhs deposited by Petitioner No. 1 in the Family Court would be allowed to be withdrawn by the complainant.

5. Considering the aforesaid circumstances, the proceedings can be quashed.

O R D E R

- i) Writ Petition No.3764 of 2022 is allowed and disposed off;
 - ii) Criminal Proceedings in R.C.C. No 119 of 2022 pending before the Court of learned JMFC, Pimpalgaon, Nashik, arising out of FIR No.- 42 of 2022 dated 06/04/2022 registered with Ozar Police Station, is quashed and set aside.
3. Interim Application No. 1833 of 2024 also stands disposed of.

(N. R. BORKAR, J.)

(PRAKASH D. NAIK, J.)