

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION (APL) NO. 1302 OF 2023

1. Pankajj Santoshkumar Bansal
 2. Prachi Pankajj Bansal
 3. Santosh Gangaram Bansal
 4. Sushila Santosh Bansal
- ...Applicants
- Versus
1. State Of Maharashtra
 2. Kavya Gupta/Khemka
- ...Respondents

WITH

CRIMINAL APPLICATION (APL) NO. 1303 OF 2023

1. Tanay Sushil Gupta
 2. Mr. Sushil Rambilas Gupta
 3. Mrs. Priti Sushil Gupta
 4. Tanisha Sushil Gupta
- ...Applicants
- Versus
1. State Of Maharashtra
 2. Kavya Gupta/Khemka
- ...Respondents

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Mr. Shyam Kalyankar, Advocate for the Applicants.

Mr. Y. M. Nakhwa, APP for the Respondent – State.

Mr. Ashok M. Saraogi, Advocate for Respondent No.2.

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

DATE : 12th APRIL 2024

P.C.:-

1. Not on board. Taken on board.
2. The applicants are arraigned as an accused in FIR dated 28th June 2023 registered with Malad Police Station vide C.R. No. 350 of 2023 for

offences under Sections 498-A, 406, 504, 323, 377 read with 34 of the Indian Penal Code, 1860 and Sections 3 and 4 of the Dowry Prohibition Act, 1961.

3. The FIR was registered at the instance of Respondent No.2. The applicant No. 1 in Criminal Application No. 1303 of 2023 is the husband of complainant, applicant No.2 is father-in-law, applicant No.3 is mother-in-law and applicant No.4 is sister-in-law of complainant/respondent No.2 whereas the applicant in Criminal Application No. 1302 of 2023 is the maternal uncle of accused No.1, applicant No.2 is the wife of applicant No.1 and applicant No.3 and 4 are grand-father and grand-mother of accused No.1.

4. Parties have resolved the dispute. They have executed consent terms. Accused No.1 and complainant had agreed to dissolve their marriage by filing petition for divorce by mutual consent. Respondent No.2 is present in the Court. She is represented by Advocate. She has filed affidavit in both the applications and supported the prayer for quashing the impugned FIR as the parties have settled the dispute. Affidavits and consent terms are placed on record, which indicate that on certain terms the parties have agreed to quash the impugned proceedings with the consent of complainant.

5. Considering the fact that the dispute was on account of matrimonial discord between the parties, which has been resolved and in view of consent of the complainant, the relief sought in these applications can be granted.

ORDER

- (i) Criminal Application Nos. 1302 and 1303 of 2023 are allowed.
- (ii) The impugned FIR dated 28th June 2023 registered with Malad Police Station vide C.R. No. 350 of 2023 is quashed and set aside against the applicants.
- (iii) Applications stand disposed off.

(N. R. BORKAR, J.)

(PRAKASH D. NAIK, J.)