

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

CRIMINAL APPLICATION NO. 1456 OF 2022

Akash Sampatrao Waghmare & Ors. ... Applicants

Versus

The State of Maharashtra & Anr. ... Respondents

....

Mr. Govind B. Solanke, Advocate for the Applicants.

Mr. Ramji T. Kotali, Advocate for Respondent No.2.

Mrs. M.M.Deshmukh, Addl. P.P. for the Respondent No.1 – State.

....

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

DATE : 12th FEBRUARY, 2024.

P.C.:

1. Learned Advocate for Respondent No.2 undertakes to file Vakalatnama. Vakalatnama be filed within a period of one week.

2. The applicants are accused in the First Information Report (for short 'FIR') No.612 of 2022 registered with Bhosari MIDC Police Station, Taluka and Dist. Pimpri-Chinchwad on 17.10.2022 for offences punishable under Sections 498-A, 323, 504, 506 r/w Section 34 of Indian Penal Code (for short "IPC"). The FIR was lodged at the instance of Respondent No.2. The applicant No.1 is

the husband of Respondent No.2. The applicant Nos.2 to 9 are relatives of applicant No.1.

3. The parties have settled the dispute. The applicant No.1 and Respondent No.2 has initiated the proceedings before the Family Court for divorce by mutual consent. The said petitions for divorce by mutual consent are pending. The parties have agreed to quash the proceedings by mutual consent. There are cross cases registered against both the sides. It is agreed that both the proceedings be quashed with the consent of complainant. The Applicant No.1 and Respondent No.2 are present in the Court.

4. The complainant/Respondent No.2 is present in the Court. She has filed Affidavit giving her consent for quashing the impugned proceedings. She has stated that she has no objection for allowing this application and quashing the proceedings.

5. We have perused the FIR and the Affidavit filed by Respondent No.2. The complainant/Respondent No.2 has stated that she has no objection for quashing the impugned FIR. There is settlement between the parties. The Affidavit is taken on record and marked as "X" for identification.

6. Considering the nature of proceedings and settlement executed between the parties there is no impediment in allowing this Petition.

ORDER

- i. Criminal Application No.1456 of 2022 is allowed;
- ii. The First Information Report No.612 of 2022 registered with Bhosari MIDC Police Station, Taluka and Dist. Pimpri-Chinchwad is quashed and set aside.
- iii. Application is disposed of accordingly.

(N. R. BORKAR, J.)

(PRAKASH D. NAIK, J.)