

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 1321 OF 2018

Ashish Anant Bhosle and others ... Applicants

Versus

The State of Maharashtra and another ... Respondents

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Mr. Veerdhawal Deshmukh for the Applicants.

Ms. K.T. Hivarale, APP for the State.

Mr. Wesley Menezes alongwith Mr. Waqar Pathan and Mr. Steven Anthony for Respondent No.2.

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

DATED : 22nd FEBRUARY 2024

P.C. :-

1. The Applicant is challenging the first information report dated 15th September 2018 registered with Kurar Police Station vide C.R. No.485 of 2018 for offence under Sections 498A, 323, 504, 506 r/w. 34 of Indian Penal Code.

2. Applicant No.1 is husband, Applicant No.2 is brother-in-law and Applicant No.3 is mother-in-law of the Respondent No.2.

3. The parties have settled the dispute. Respondent No.2-complainant is present in court. She has filed Affidavit. She has expressed her consent for quashing the impugned FIR in view of settlement between them.

4. We have perused the Affidavit. It is mentioned that the parties have resolved the dispute. Respondent No.2 have decided to

accept one time full and final alimony amount of Rs.40 lakhs. The Affidavit further mention that on receipt of payment of one time full and final alimony amount of Rs.40,00,000/-, Respondent No.2 undertakes to withdraw all the cases that have been instituted by her against the Applicants. The list of proceedings including the petition relating to conjugal rights bearing No.2868 of 2018 is referred to in Affidavit. Respondent No.2 has agreed to vacate premises which is occupied by her but belonging to Applicant No.1 within 15 days from today.

5. The demand draft of Rs.40 Lakhs is handed over to Respondent No.2 and the same is accepted by her. Considering the fact that dispute had arisen out of matrimonial discord and there is a settlement between the parties, the impugned FIR can be quashed.

ORDER

- (i) Criminal Application No.1321 of 2018 is allowed.
- (ii) First information report dated 15th September 2018 registered with Kurar Police Station vide C.R. No.485 of 2018 is quashed and set aside.

(N.R. BORKAR, J.)

(PRAKASH D. NAIK, J.)