

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

CRIMINAL WRIT PETITION NO. 29 OF 2024

Vishant Jashvant Panchal S/o Gangaram Panchal
And Ors. ...Petitioners
Versus
State Of Maharashtra And Anr. ...Respondents

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Ms. Rinku Agrawal, Advocate for the Petitioners.

Ms. K.T. Hiwrale, APP for the Respondent – State.

Mr. Akhilesh Singh a/w Mr. Angad Mane, Advocate for Respondent No.2.

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

DATE : 19th MARCH, 2024.

P.C.:

1. Not on board. Taken on board.
2. The Petitioners are arraigned as Accused in First Information Report dated 25th July, 2022 registered with Vakola Police Station vide C.R. No. 774 of 2022 for offence under Sections 498-A, 377 and 34 of Indian Penal Code.
2. The Petitioner No.1 is the husband, Petitioner No.2 is the father-in-law, Petitioner No.3 is the mother-in-law, Petitioner No.4 is the brother in law and Petitioner No.5 is the sister-in-law of Respondent No.2.

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3. The dispute has been amicably settled between the parties. Consent terms are executed. The proceedings for dissolution of marriage are pending before the Family Court. It is agreed that the Petitioner No.1 will pay lumpsum amount of Rs.6,00,000/- to Respondent No.2 towards permanent alimony. It is agreed that sum of Rs.1,00,000/- was to to be paid to Respondent No.2 at the time of filing mutual divorce petition and Rs.2,00,000/- were to be paid at the time of withdrawal of Domestic Violence complaint. Rs.1,00,000/- has to be paid at the time of giving no objection for quashing FIR and the balance amount of Rs.2,00,000/- is to be given to Respondent No.2 at the time of filing no claim affidavit before Family Court. It is also agreed that the Petitioner No.1 will return the gold ring and luggage of Respondent No.2 and the parties will not claim any right that the interest in the movable or immovable property.

4. It is submitted that amount of Rs.1,00,000/- is given to the complainant at the time of filing petition for divorce by mutual consent. Subsequently, Rs.2,00,000/- are given to complainant at the time of withdrawal of the complaint under the Domestic Violence Act. The balance amount of Rs.2,00,000/- is to be paid to the complainant at the time of passing decree in the petition for divorce by mutual consent. It is not disputed that the articles

belonging to the complainant are returned to her. The complainant is present in the Court. She is represented by the Advocate. She has no objection for quashing FIR. Affidavit is taken on record.

5. In view of the aforesaid circumstances, the FIR can be quashed and set aside.

ORDER

- i. Criminal Writ Petition No.29 of 2024 is allowed;
- ii. The First Information Report dated 25th July, 2022 registered with Vakola Police Station vide C.R. No. 774 of 2022 is quashed and set aside.
- iii. Petition stands disposed off.

(N. R. BORKAR, J.)

(PRAKASH D. NAIK, J.)