

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

CRIMINAL APPLICATION NO. 1445 OF 2023

Sandeep Narender Kumar And Ors. ...Applicants

Versus

The Sr. Police Inspector And Ors. ...Respondents

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Mr. Mateen Shaikh a/w Adv. Mr. Kshirsagar Shrinivas, Ms. Muskan Shaikh, Advocate for the Applicants.

Mrs. Sangita E. Phad, APP for the Respondent – State.

Mr. Shirish Shigwan, Advocate for Respondent No.3.

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

DATE : 28th MARCH, 2024.

P.C.:

1. Not on board. Taken on board.
2. The Applicants are arraigned as accused in First Information Report (for short 'FIR') dated 31st August, 2021 registered with Kamothe Police Station vide C.R. No.386 of 2021 for offence under Sections 498-A, 504 r/w 34 of Indian Penal Code (for short 'IPC').
3. The FIR was registered at the instance of Respondent No.3. The Applicant No.1 is the husband, Applicant No.2 is the mother-in-law, Applicant Nos.3 and 4 are the sister-in-law of

Respondent No.3 and Applicant No.5 is the uncle, Applicant No.6 is the cousin of Applicant No.1.

4. It is submitted that the parties have resolved their dispute. They have executed consent terms. The complainant has no objection for quashing the FIR.

5. The consent terms are placed on record. The consent terms indicate that the differences are sorted out. The Applicant No.1 and Respondent No.3 have agreed to dissolved their marriage by filing Petition for divorce by mutual consent. The Applicant No.1 has paid an amount of Rs.3,00,000/- to Respondent No.3. The Respondent No.3 has no further claim in respect of maintenance of movable or immovable properties of whatsoever nature against each other. All matters of matrimonial have been resolved mutually and there exist no claim of any financial nature towards maintenance expenses for a past, present and future in relation to the marriage. The Respondent No.3 is present in the Court. She has confirmed that there is settlement between the parties and she has no objection for quashing the FIR. The consent for quashing is spelt out in the affidavit filed by her.

6. Considering the fact that the dispute was on account of matrimonial differences, which has been resolved, the impugned

FIR can be quashed.

ORDER

- i. Criminal Application No.1445 of 2023 is allowed;
- ii. The First Information Report dated 31st August, 2021 registered with Kamothe Police Station vide C.R. No.386 of 2021 is quashed and set aside.
- iii. Application stands disposed off.

(N. R. BORKAR, J.)

(PRAKASH D. NAIK, J.)