

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 4215 OF 2023

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No.1 and Respondent No.2 was solemnized on 9 May 2022. Respondent No.2 lodged the FIR on 15 September 2023 alleging that Petitioner No.1 and his family members had subjected her to physical and mental cruelty.

3. Learned Counsel for the Petitioners and Respondent No.2 state that the parties have settled the dispute amicably. Learned Counsel for Respondent No.2 has placed on record Affidavit of Respondent No.2 stating that the matter has been settled amicably on payment of Rs.3,75,000/- towards full and final settlement. The parties have decided to withdraw all the cases against each other. They have also agreed/undertaken to file mutual divorce petition before the concerned court. Respondent No.2 has given no objection to quash the subject FIR.

4. Respondent No.2 is present before the Court. She is identified by her Advocate. Respondent No.2 admits her signature on the affidavit and confirms the contents of the Affidavit. She has also reiterated that the matrimonial dispute has been amicably resolved and that she has received demand draft of Rs.3,75,000/-.

5. In *Jitendra Raghuvanshi v/s. Babita Raghuvanshi and anr. (2013) 4 SCC 58*, the Apex Court has observed that it is the duty of the Courts to encourage genuine settlements of matrimonial disputes. It is held that every effort should be made in the interest of the individuals in order to enable them to settle down in life and live peacefully. If the parties ponder over their defaults and terminate their disputes amicably by mutual agreement instead of fighting it out in a court of law, in order to do complete justice in the matrimonial matters, the Courts should be less hesitant in exercising its extraordinary jurisdiction.

6. In *Rangappa Javoor vs. State of Karnataka, AIR ONLINE 2023 SC 206*, the Apex Court has reiterated that in cases of offences relating to matrimonial disputes, if the court is satisfied that the parties have genuinely settled the disputes amicably, then for the purpose of securing the ends of justice, criminal proceedings inter se parties can be quashed by exercising the powers under article 142 of the Constitution of India or under Section 482 of Code of Criminal Procedure, 1973.

7. Since the parties have put to an end to the matrimonial dispute, continuation of criminal proceedings will be a futile exercise. Hence, in our considered view, this is a fit case to exercise powers under Article 226 of the Constitution of India and to quash the proceedings to secure the ends of justice. Hence, the following order :

- (i) Writ Petition is allowed in terms of prayer clause (a).
- (ii) F.I.R. No. 572 of 2023 registered at Bhandup Police Station stands quashed and set aside.

(N.R. BORKAR, J.)

(SMT. ANUJA PRABHUDESSAI, J.)