

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
APPLICATION NO. 1635 OF 2023
(Sr.No.20)**

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|----|--------------------------|----------------|
| 1. | Pradeep R. Gupta | |
| 2. | Mrs.Drovpadi R. Gupta | |
| 3. | Ramesh J. Gupta | |
| 4. | Ms Poonam R. Gupta | ...Applicants |
| | Versus | |
| 1. | The State of Maharashtra | |
| 2. | Mrs. Vandana P. Gupta | |
| | @ Miss Vandana H. Gupta | ...Respondents |

Mr. Jigar S. Shah i/b Mr. Ronak Shah for the Applicants.
Ms Rutuja Ambekar, APP for the Respondent/State.
Ms Asba A. Khatib for Respondent No.2.

AND
**APPLICATION NO. 24 OF 2024
(Sr.No.34)**

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|----|--------------------------|----------------|
| 1. | Pintoo H. Gupta | |
| 2. | Ramsharan H. Gupta | |
| 3. | Ramashish H. Gupta | ...Applicants |
| | Versus | |
| 1. | The State of Maharashtra | |
| 2. | Pradeep R. Gupta | ...Respondents |

Mr. Jigar S. Shah i/b. Mr. Ronak A. Shah for the Applicants.
Ms M.M. Deshmukh, APP for the Respondent/State.
Ms Radhika S. Sharma for Respondent No.2.

**CORAM : PRAKASH D. NAIK &
N. R. BORKAR, JJ.
DATE : 9 FEBRUARY, 2024.**

PC:-

1. Both the applications are arising out of cases lodged by the parties to these proceedings against each other.

2. Criminal Application No. 1635 of 2023 challenges the First Information Report (FIR) dated 1 June 2022 registered with Navghar Police Station vide F.I.R. No. 419 of 2022 for the offences punishable under Sections 323, 406, 498-A, 504 and 506 read with 34 of the Indian Penal Code. The FIR was registered at the instance of respondent No.2.

3. The applicant No.1 is the husband, applicant No.2 is the mother-in-law, applicant No.3 is the father-in-law and applicant No.4 is the sister-in-law of respondent No.2.

4. Criminal Application No. 24 of 2024 challenges the FIR dated 5 June 2022 registered with Nalasopara Police Station vide F.I.R. No. 226 of 2022 for the offences punishable under Sections 324, 323, 506 and 504 read with 34 of the Indian Penal Code. The FIR was registered at the instance of respondent No.2 (husband). The applicants are brother-in-laws of respondent No.2.

5. The parties have resolved their dispute. It is jointly submitted that the proceedings in both cases may be quashed as there is amicable settlement between the parties.

6. The affidavit tendered by the complainant in FIR No.419 of 2022 is annexed to Criminal Application No. 1635 of 2023 wherein the complainant has expressed her no objection for quashing the proceedings in Regular Criminal Case No. 4140 of 2022 arising out of FIR No.419 of 2022.

7. The complainant is present in the Court. She has admitted the contents of the affidavit and reiterated that the criminal proceedings and the FIR be quashed on account of settlement between them. The affidavit is taken on record.

8. The affidavit tendered by the complainant in FIR No.226 of 2022 is annexed to Criminal Application No.24 of 2024 stating that he has no objection if the proceedings in Regular Criminal Case No.691 of 2023 arising out of FIR No.226 of 2022 are quashed. It is also stated that the FIR was registered on account of misunderstanding between the parties. The affidavit is taken on record.

9. Considering the nature of dispute and differences between the parties and since the parties have arrived at amicable settlement and expressed their consent for quashing

the proceedings, the reliefs sought in both the applications can be granted.

ORDER

A] Criminal Application No. 1635 of 2023 is allowed.

B] The proceedings in Regular Criminal Case No.4140 of 2022 arising out of F.I.R. No.419 of 2022 pending in the Court of 8th Judicial Magistrate First Class, Thane are hereby quashed and set aside.

C] Criminal Application No.24 of 2024 is allowed.

D] The proceedings in Regular Criminal Case No.691 of 2023 arising out of F.I.R. No.226 of 2022 pending in the Court of 5th Judicial Magistrate First Class, Vasai are hereby quashed and set aside.

E] Both the Applications are accordingly, disposed of.

(N.R. BORKAR, J.)

(PRAKASH D. NAIK, J.)