

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

CRIMINAL APPLICATION NO. 1643 OF 2023

Mr. Mayank Ravindra Chaturvedi and ors.	 Applicants
v/s.	
The State of Maharashtra and anr.	 Respondents

Mr. Tarun Sharma a/w. Ms. Varsha Sharma for the Applicants.
Ms. M.M. Deshmukh, APP for the State.
Mr. Mahesh R. Patil a/w. Tayaba Kazi for Respondent No.2.

**CORAM: SMT. ANUJA PRABHUDESSAI AND
N.R. BORKAR, JJ.**

DATED : 29th JANUARY, 2024.

P. C. :-

- . Not on board. Upon being mentioned, taken on board.

2. Learned counsel for the Applicants seeks leave to amend prayer clause (a) to incorporate R.C.C.No.4144/2022. Leave granted. Amendment to be carried out forthwith.

3. This is an application under section 482 of Cr.PC. filed by the aforesaid Applicants to quash the FIR No.0009/2022 registered at Navghar Police Station, Mira-Bhayander, Vasai-Virar Police for offences punishable under sections 323, 406, 498-A, 504, 506 r/w. 34 of the

Indian Penal Code and C.C.No.4144/2022 arising therefrom pending on the file of learned JMFC, Thane.

4. The aforesaid crime was registered pursuant to the FIR lodged by the Respondent No.2 – Poonam Chaturvedi. The marriage of the Applicant No.1 and the Respondent No.2 was solemnized on 08/02/2014. The Respondent No.2 lodged the FIR on 07/01/2022 alleging that her husband and his family members had subjected her to physical and mental cruelty. Learned counsel for the Applicants and Respondent No.2 state that the parties have settled the dispute amicably. It is stated that the consent terms will be filed in divorce proceedings filed by the Applicant No.1 and which is pending before Family Court at Gaziabad.

5. Learned counsel for the Applicants and the Respondent No.2 state that as per the settlement agreed between the parties, Applicant No.1 paid to the Respondent No.2 an amount of Rs.25,00,000/- towards full and final settlement. They have placed on record affidavit of Respondent No.2 wherein she has confirmed that the matter has been amicably settled and she has no objection to quash the FIR and the criminal case arising therefrom.

6. Respondent No.2 is present before the Court. She has been identified by her advocate. She has confirmed the contents of the affidavit. She also states that she has received an amount of Rs.25,00,000/- from Applicant No.1 towards full and final settlement and that she has no objection to quash the FIR and the criminal case arising therefrom.

7. The parties have settled the matrimonial dispute amicably. The settlement is genuine and voluntary. Continuance of the criminal proceedings will be an exercise in futility and abuse of process of law. In our considered view, this is a fit case to exercise discretion under section 482 of Cr.P.C. to secure the ends of justice. Hence, the Application is allowed. FIR No.0009/2022 registered at Navghar Police Station, Mira-Bhayander, Vasai-Virar Police and C.C.No.4144/2022 arising therefrom pending on the file of learned JMFC, Thane, are hereby quashed.

(N.R. BORKAR, J.)

(SMT. ANUJA PRABHUDESSAI, J.)

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