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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.264 OF 2024

1. Amey Arvind Rokde,
Age: 45 years, Occu: Service,
Residing at Flat No.903,
Pride Platinum, NR Pancard Club,
Baner, Pune – 411 045.
2. Arvind Babasa Rokde,
Age: 83 years, Occu: Retired,
Residing at Flat No.903,
Pride Platinum, NR Pancard Club,
Baner, Pune – 411 045.
3. Snehal Arvind Rokde,
Age: 75 years, Occu: Homemaker,
Residing at Flat No.903,
Pride Platinum, NR Pancard Club,
Baner, Pune – 411 045.
4. Digvijay Vasant Gulalkari,
Age: 56 years, Occu: Business,
Residing at 11, Suvidha Co-op.
Housing Society, Sector 5, Panvel,
Raigarh – 410 206.
5. Aboly Digvijay Gulalkari,
Age: 55 years, Occu: Homemaker,
Residing at 11, Suvidha Co-op.
Housing Society, Sector 5, Panvel,
Raigarh – 410 206.

.....Petitioners

Vs.

1. The State of Maharashtra,
Through the office of Gangapur
Police Station, Nashik.
2. Kalyani Amey Rokde,
Aged: 41 years, Occu: Service,

R/o. Flat No.6, Trushna Society,
Savarkar Nagar, Gangapur Road,
Nashik.

.....Respondents

Mr. R. R. Patil, for the Petitioners.

Smt. Madhavi H. Mhatre, APP, for Respondent No.1-State.

Ms. Suvarna Yadav, for Respondent No.2.

Ms. Kalyani A. Rokde, Respondent No.2 present.

**CORAM : A. S. GADKARI AND
DR NEELA GOKHALE, JJ.
DATE : 20th SEPTEMBER, 2024.**

P.C.:

1) Petitioners seek to quash and set aside R.C.C. No.344 of 2024 arising out of F.I.R. bearing No. 21 of 2023 dated 11th January 2023 registered with Gangapur Police Station, Nashik for offences punishable under Sections 498-A, 406, 323, 504 and 506 read with 34 of the Indian Penal Code, 1860 ("IPC").

2) Petitioner No. 1 is the husband of Respondent No.2. Petitioner Nos.2, 3 and 5 are father-in-law, mother-in-law and sister-in-law of Respondent No.2 respectively. Petitioner No.4 is the husband of Petitioner No.5. According to Respondent No.2, Petitioner No.1 married her on 14th December 2006. There was some acrimony and marital discord between the parties which led the Respondent No.2 to lodge the aforesaid FIR with the Gangapur Police Station, Thane.

3) Mr. R. R. Patil, learned counsel appears for the Petitioners and Ms. Suvarna Yadav appears for the Respondent No.2. Ms. M. H. Mhatre, learned APP represents the State.

- 4) It appears that in the interregnum, the parties decided to amicably resolve their disputes. Respondent No.2 has filed consent Affidavit dated 20th April 2024 duly affirmed before the Notary Public. In the consent Affidavit, the Respondent No.2 has stated that the dispute and difference between her and the Petitioners have been amicably settled. In paragraph No. 7 thereof, she has given her consent for quashing of the F.I.R.
- 5) Respondent No.2 is personally present in Court. Through her counsel, she reiterates the contents of her consent Affidavit and her no objection to quash the criminal proceedings pending against the Petitioners.
- 6) Thus considering the facts in the present case and the consent Affidavit of the Respondent No.2, criminal proceedings bearing R.C.C. No.344 of 2024 arising out of F.I.R. bearing No. 21 of 2023 dated 11th January 2023 registered with Gangapur Police Station, Nashik is quashed and set aside.
- 7) Petition is accordingly, allowed in terms of prayer clause (a).

(DR NEELA GOKHALE, J.)

(A.S. GADKARI, J.)