

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

CRIMINAL WRIT PETITION NO.446 OF 2024

Nikhil Mahadeo Matale
and others

.....Petitioners

Versus

The State of Maharashtra
and another

.....Respondents

Mr. Lakshyaved R. Odhekar, Advocate for the Petitioners.
Smt. Anamika Malhotra, APP for the Respondent No.1-State.
Mr. Prasad Avhad, Advocate for the Respondent No.2.

**CORAM : SARANG V. KOTWAL &
DR.NEELA GOKHALE, JJ.**

DATE : 15th OCTOBER, 2024

P.C. :

1. Leave to amend to correct the prayer clause in respect of the designation of the Court is granted. Amendment to be carried out forthwith.

2. The Petitioners seek quashing of the criminal proceedings bearing RCC No.1455/2020 pending before the

J.M.F.C. at Nashik arising out of C.R. No.441/2020 dated 8.8.2020 registered with Ambad police station, District-Nashik for the offences punishable under Sections 498-A, 406, 323, 504, 506 read with 34 of IPC. The Petitioner No.1 is the husband of the Respondent No.2-first informant and the Petitioner Nos.2 to 4 are the relatives of the Petitioner No.1.

3. Heard Mr. Lakshyaved Odhekar, learned counsel for the Petitioners, Smt. Anamika Malhotra, learned APP for the Respondent No.1-State and Mr. Prasad Avhad, learned counsel for the Respondent No.2.

4. It is alleged in the FIR that the Petitioner No.1 and the Respondent No.2 were married on 11.12.2019 as per the Hindu rituals and ceremonies at Nashik. Her parents had given her valuable ornaments and jewellery at the time of marriage. However, after 15 days of the marriage, the Petitioners started ill-treating her on the ground that her parents had not given her appropriate ornaments and other articles. Generally it is her allegation that she was treated with mental and physical cruelty; on account of which there was marital discord between

the parties. In these circumstances, she has filed the impugned FIR culminating in the criminal proceedings.

5. It appears that the parties have now decided to settle the matter amicably. The Respondent No.2 has thus filed an affidavit giving consent for quashing of the criminal proceedings arising from the FIR. In paragraph No.6 of her affidavit she has specifically stated that she has no objection if the FIR and the criminal proceedings emanating therefrom are quashed and set aside. She also says that she has received an amount in lieu of permanent alimony and maintenance from the Petitioner No.1 and has no other claim in respect of the maintenance from him. The Respondent No.2 has appeared through Video Conferencing and her counsel has identified her. She reiterates the statements made by her in the affidavit. We accept the same.

6. Considering the personal nature of the proceedings, we are inclined to quash the criminal proceedings and the FIR. Hence, the following order:

:: O R D E R ::

- i. The FIR being C.R. No.441/2020 registered at Ambad police station, District-Nashik and the consequent proceedings in connection with the charge-sheet filed bearing R.C.C. No.1455/2020 pending before the J.M.F.C., Nashik are quashed and set aside.
- ii. The Petition is disposed of accordingly.

(DR.NEELA GOKHALE, J.)

(SARANG V. KOTWAL, J.)

Deshmane (PS)

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