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

CRIMINAL WRIT PETITION NO. 2823 OF 2024

Siddhant Ratnakant Nikalje and Ors.

....Petitioners

V/s.

The State of Maharashtra and Ors.

...Respondents

Mr. Shubham K. Kanade for Petitioners.

Mr. Aashish I. Satpute, APP for State.

Ms. Rati S. Sinhasane for Respondent No.2.

**CORAM : SARANG V. KOTWAL &
DR. NEELA GOKHALE, JJ.
DATED : 9th OCTOBER 2024**

PC. :

1. The Petitioner is seeking quashing of FIR No. 1691 of 2023 dated 26th December 2023 registered with Phaltan Gramin Police Station, Satara for the offences punishable under Section 498A, 323, 504, 506 read with Section 34 of the Indian Penal Code, 1860 (the IPC).

2. The Petitioner No.1 is the husband of the First Informant/ Respondent No.2 herein and the Petitioner Nos. 2 and 3 are parents in laws. It is alleged in the FIR that three months after the marriage the petitioners started treating her with cruelty. The first informant has narrated various incidences of cruelty in the FIR which include locking her in a room without giving her meals, demanding money from her father and picking up quarrels on petty issues.

3. It appears that now the parties have settled the matter amicably. Respondent No.2 has filed a consent affidavit dated 22nd September 2024 duly affirmed before the notary public. In the said affidavit she states that Petitioner No.1 has agreed to pay her Rs.4,50,000/- towards full and final settlement in lieu of permanent alimony and maintenance. The said amount has to be paid in number of installments. The last installment is to be paid to her at the time of recording their statement in the divorce petition. The Respondent No.2 is present in the court today and through her counsel reiterates the statements made by her in the said affidavit. In Paragraph No.3 of the said affidavit she has given her free consent for quashing of the impugned FIR.

4. Considering the personal nature of the proceedings, we are inclined to quash the FIR. However, since the last installment as stated in the affidavit, is yet to be paid by Petitioner No.1 to Respondent No.2 we reserve the liberty to Respondent No.2 to make an application to this court in the event the balance payment is not received by her at the time which is been agreed between the parties and stated so in the affidavit.

5. In view of the foregoing, the FIR No. 1691 of 2023 dated 26th December 2023 registered with Phaltan Gramin Police Station, Satara is quashed and set aside.

6. Petition is disposed of with aforesaid liberty.

(DR. NEELA GOKHALE, J.)

(SARANG V. KOTWAL, J.)