

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

CRIMINAL WRIT PETITION NO.4453 OF 2024

Adesh Ravindra Shirsat & Ors.

.... Petitioners

versus

Shivani Adesh Shirsat & Anr.

.... Respondents

.....

- Ms. Ritika T. Patel i/b. Gulestan Dubash, Advocate for Petitioner.
- Mr. Vinod Chate, APP for the State/Respondent.
- Mr. Prathamesh A. Gokhale, Advocate for Respondent No.1.

**CORAM : SARANG V. KOTWAL &
DR. NEELA GOKHALE, JJ.
DATE : 11th OCTOBER, 2024**

P.C. :

1. The Petitioner seeks quashing of FIR No.213/2023 registered with Ambad Police Station, Nashik, dated 03/04/2023 for offences punishable u/s 498-A, 406, 504, 506 r/w 34 of the Indian Penal Code, resulting in Criminal Case bearing RCC No.224/2024 pending on the file of 11th Joint Civil Judge Senior Division and Additional Chief Judicial Magistrate, Nashik.

2. The Petitioner No.1 is the husband of the Respondent No.1/first informant. The rest of the Petitioners are mother-in-law, father-in-law, sisters-in-law, their respective husbands and the maternal uncle and aunt of the Petitioners respectively.
3. It is alleged by the Respondent No.1 in the FIR that the Petitioners treated her with cruelty and harassed her on account of demands of dowry in the form of ornaments and cash. She says that the Petitioners used to abuse her and were not behaving properly with her. This led to marital discord between the Petitioner No.1 and the first informant resulting in registration of the impugned FIR.
4. It appears that the parties have decided to amicably resolve their disputes. Thus, the Respondent No.1 has filed the consent affidavit dated 05/10/2024 duly affirmed before the notary. In paragraph No.9 of the said affidavit she has given her no objection to quash and set aside the FIR and the criminal proceedings culminating therefrom. She also says there is a settlement arrived at between the parties and they have moved

the Family Court at Nashik praying for decree of divorce by mutual consent. The Respondent No.1 is present in Court today and reiterates the statement made in the affidavit through her counsel.

5. Considering the facts in the present matter and the nature of dispute between the parties, the criminal proceedings bearing RCC No.224/2024 pending on the file of 11th Joint Civil Judge Senior Division and Additional Chief Judicial Magistrate, Nashik, arising out of C.R.No.213/2023 registered with Ambad Police Station, Nashik are quashed and set aside.

6. The Petition is accordingly allowed.

(DR. NEELA GOKHALE, J.)

(SARANG V. KOTWAL, J.)