

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.5165 OF 2024

Sandeep Suryakant Jore & Ors.

...Petitioner

Versus

Deepali Sandeep Jore & Ors.

...Respondent

Mr. Nitin Gaware Patil i/b Mr. Jay Salunke, for the Petitioner.

Mr. Abhiman D. Patil, for the Respondent Nos.1 & 2.

Ms. Dhanalaxmi Krishna Iyer, APP for the Respondent-State.

Mr. Sandeep S. Jore, Petitioner No.1. present in person.

Ms. Deepali S. Jore, Respondent No.1. present (Through VC).

CORAM: MADHAV J. JAMDAR, J.

DATED: 8th MAY 2025

P.C.:

1. Mr. Nitin Gaware Patil, learned Counsel appearing for the Petitioner and Mr. Abhiman D. Patil, learned Counsel appearing for the Respondent Nos.1 and 2 state that parties have settled the dispute in terms of the Consent Terms. They tenders the Consent Terms.

2. The Consent Terms are signed by the Petitioner No.1 - Sandeep Suryakant Jore and the Respondent No.1 - Deepali Sandeep Jore. The Petitioner No.2 and 3 are the parents of the Petitioner No.1 and Respondent No.2 is minor daughter of the Petitioner No.1 and the Respondent No.1.

3. The Petitioner No.1 - Sandeep Jore is personally present in Court and the Respondent No.1 - Deepali Jore is present through VC. Both of them state that parties have settled the dispute in terms of the Consent

Terms. The Petitioner - Sandeep Jore also states that Consent Terms are also agreeable to his parents i.e. Petitioner No.2 and Petitioner No.3. The Consent Terms are also signed by the respective Advocates. The respective Advocates identify the signatures of their respective clients.

4. Accordingly, the Consent Terms are taken on record and marked “X” for identification. The Consent Terms read as under:-

“CONSENT TERMS

The parties voluntarily had submitted themselves to the process of mediation by maintaining confidentiality. The Senior Advocate and Mediator Shri. Rajiv Patil has made valuable contribution to settle the dispute amicably and after due deliberation the draft of mediation report was also prepared. Since the parties are residing separately since 18.06.2016, before resuming cohabitation, to adjust themselves to the situation and to avoid any other inconvenience had decided that the parties would be on visiting terms with access to the petitioner to meet his daughter Swara, initially for period of six months. If things are got properly and it goes on smoothly, the parties would decide to reunite. Hence, the following settlement consent terms have been arrived at by the mutual consent of the parties.

- 1. The parties solemnized their marriage on 02.05.2015 and have daughter, namely, Swara aged 8 years. The daughter, Swara are presently staying with respondent-wife Deepali at Nashik and pursuing her studies. To strengthen the matrimonial relationship and mutual bond and in the interest of daughter Swara to resume cohabitation, the parties have agreed to visiting terms at every weekend so that they can be in better position to adjust to the situation and to know each other before they resume cohabitation.*
- 2. The parties would be visiting their respective*

places of abode at Ahilyangar and Nashik at every weekend alternatively starting from 10.05.2025.

3. *The petitioner husband would be visiting the parental home of the respondent Deepali by 10.05.2025 and thereafter by next weekend, the respondent Deepali would be visiting her matrimonial home at Ahilyanagar, where the petitioner husband is residing along with his parents. The respondent wife is having the custody of daughter Swara who would also take daughter Swara on such alternate weekends to the house of the petitioner husband at Ahilyanagar on every Saturday or Sunday, if possible, by Friday evening itself.*
4. *The expenses for transportation are to be borne by the respective parties and if in case there are any school commitments for daughter Swara at Nashik on any particular weekend, the respondent wife will inform petitioner husband well in advance.*
5. *The husband and wife agree to withdraw the pending cases filed against each other, if any, within three months from the date of order passed by the Hon'ble High Court, Bombay in abovementioned proceedings. The cases are pending in courts including PWDVA No.178 of 2023, pending before the Ld. Judicial Magistrate First Class, Nashik and Family Petition No. 184/2024, pending before the Ld. Judge of Family Court, Nashik and application under Section 125 of the Criminal Procedure Code could be withdrawn as agreed. It is further agreed that the parents of both the parties shall not interfere with the matrimonial issues between husband Sandeep and wife Deepali in any manner and none of the parties would not extend any threats to each other and would indulge in lodging any false complaints/cases either criminal or civil, hereinafter. In case, the arrangement made is*

successful, the parties would proceed to stay together after expiry of six months from the date of order passed by the Hon'ble High Court and would live with peace and amity at Ahilyanagar in the residence of Petitioner husband. If in the event unfortunately, the parties could not reconcile on expiry of such period of six months starting from the date of order passed by the Hon'ble High Court and in pursuance to the instant consent terms, the parties are at liberty to take out necessary proceedings for divorce by mutual consent and to get separate permanently. None of the parties would cause any impediment for such divorce by mutual consent to sever the marital ties. Both the parties agree that they shall take care of their daughter Swara and appropriate towards expenditure for education and other miscellaneous expenses towards the maintenance of child and they shall not cause any hinderance/objection and live happily for better future of daughter Swara. The petitioner husband shall pay an amount of Rs. 3,000/- for the period of six months towards the educational expenses of daughter Swara.

6. *Both the parties agreed that they shall not enter into past incidences and/or caused embarrassment to each other's family including in-laws and carry out necessary duties as husband and wife to lead happy married life and also during visiting period of six months.*
7. *The wife Deepali and petitioner Sandeep would take utmost care of ailing parents of Sandeep and would not cause any harm to them as father of Sandeep is paralytic and struggles while walking and has to be bedridden. The proceedings may kindly be disposed of in accordance with the present Consent Terms.”*

5. Accordingly, the Criminal Writ Petition is disposed of in terms of

the Consent Terms, with no order as to costs.

6. This Court places on record the appreciation of the efforts made by Mr. Rajiv Patil, learned Senior Counsel to mediate the dispute between the parties.

[MADHAV J. JAMDAR, J.]