

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

CRIMINAL WRIT PETITION NO.3973 OF 2024

Jackson Livingstone

...Petitioner

Vs.

The State of Maharashtra & Ors.

...Respondents

Ms. Shreya Shrivastava i/by Ms. Sangita Patil, for the Petitioner.

Ms. Sangeeta Phad, APP for the Respondent No.1-State.

Ms. Mamta Kadam, for the Respondent No.3.

Mr. Pravin Yadav, PSI, MIDC Police Station Andheri, present.

**CORAM : SARANG V. KOTWAL &
SHYAM C. CHANDAK, JJ.**

DATED : 24th SEPTEMBER, 2025

P.C. :-

1) This is a Petition for quashing of the Case No.PW/1671/2024 pending before the Additional Chief Metropolitan Magistrate, 22nd Court, Andheri arising out of C.R. No.88 of 2024 dated 27th January, 2024 registered at M.I.D.C. Police Station, Andheri (East) under Sections 498-A, 323, 504 and 506 of the Indian Penal Code, 1860.

2) Heard Ms. Shreya Shrivastava, learned Counsel for the Petitioner, Ms. Sangeeta Phad, learned APP for the Respondent No.1 – State and Ms. Mamta Kadam, learned Counsel for Respondent No.3.

3) This Petition was originally filed on the merits of the matter. However, during pendency of this Petition, the parties have settled their dispute and now prayer is made for quashing of these proceedings with

consent of the parties. In view of the settlement between the parties, it is not necessary to refer to the allegations in detail. Briefly stated the allegations are that, the Respondent No.3 got acquainted with the Petitioner when she was working in a company. They fell in love and got married on 04th May, 2013. She gave birth to their son on 12th December, 2014. However, subsequently, the Petitioner's behavior changed. He started consuming liquor and started ill-treating her. The Respondent No.3 came to know that he had relationships with other women. There is a reference to one particular woman residing in USA. The Petitioner was continuously harassing her. Therefore, they decided to take divorce. But they continued to stay together. During that phase also, the ill-treatment continued. Ultimately she lodged her F.I.R. The charge-sheet contains statements of her mother and other relatives. They have supported the allegations in the F.I.R. Now, the matter is completely settled between the parties. The Respondent No.3 has filed her Affidavit. She has mentioned in the Affidavit that the matter between herself and the Petitioner is amicably settled and they are taking steps to obtain divorce by mutual consent. She has given her no objection for quashing of this proceeding. The Respondent No.3 appears through Video Conferencing. She is identified by her learned Counsel. The Respondent No.3 reiterated the contents of the Affidavit and submitted that she has no objection for quashing of the proceedings. She submitted that her son is staying with her.

4) In this view of the matter, continuation of the criminal prosecution will not serve any purpose. Therefore, in the interest of justice and in the interest of the parties, we are inclined to allow this Petition. However, we are inclined to impose some costs on the Petitioner. Hence, the following Order :-

:: ORDER ::

- (a) The proceedings bearing Case No.PW/1671/2024 pending before the Additional Chief Metropolitan Magistrate, 22nd Court, Andheri arising out of C.R. No. 88 of 2024 dated 27th January, 2024 registered at M.I.D.C. Police Station, Andheri East under Sections 498-A, 323, 504 and 506 of the Indian Penal Code, are quashed and set aside.
- (b) The Petitioner shall pay a cost of Rs.25,000/- (Rupees Twenty Five Thousand) to the Armed Forces Battle Casualties Welfare Fund within a period of eight weeks from today. The details of the bank account for payment of cost are as under :-

Account Name	:- Armed Forces Battle Casualties Welfare Fund
Bank Name	:- Canara Bank
Branch Name	:- South Block, Defence Headquarters, New Delhi – 110 011
Account Number	:- 90552010165915
IFSC Code	:- CNRB0019055

5) If such payment is made and the receipt is shown in the Registry, there shall be no further reference to the Court but if the amount

is not deposited and the receipt is not shown, then the Petition be listed for further consideration and in that case the Order passed today is liable to be recalled.

6) With these observations, the Petition is disposed of.

(SHYAM C. CHANDAK, J.)

(SARANG V. KOTWAL, J.)