



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

WRIT PETITION NO. 5720 OF 2024

**RONAK MOHAN SEQUEIRA & ORS ..PETITIONERS
VS
THE STATE OF MAHARASHTRA & ANR ..RESPONDENTS**

Mr. Premkumar J. Kunamalla, Advocate for the Petitioners.
Ms. Anuja S. Gotad, APP for State.
Ms. Yogini Abhay Ugale for Respondent No.2.
PSI B. H. Sawant, Bhandup Police Station, Mumbai.

**CORAM : RAVINDRA V. GHUGE &
RAJESH S. PATIL, JJ.**

DATE : 3rd JANUARY, 2025.

P.C. :-

1. An FIR bearing No.02 of 2023, dated 2nd January, 2023, was registered with the Bhandup Police Station, District – Mumbai. The grievance of the Complainant has its origin in a matrimonial discord. There are several proceedings between the parties before the various Courts. The proceedings under the Protection of Women from Domestic Violence Act, 2005 have also been withdrawn in view of the decision of the parties to separate by seeking a divorce by mutual consent.

2. The Consent Terms dated 23rd August, 2024 placed before the learned Family Court at Bandra, Mumbai in M. J. Petition No. 1590 of 2023, are placed on record at Page Nos. 21 to 24. The

Complainant confirms that out of the total amount of Rs.11,00,000/- to be received by her towards permanent alimony, she has already received Rs.6,60,000/- and the remainder amount of Rs.4,40,000/- will be deposited on 18th January 2025 by way of demand draft in the name of the wife.

3. The Complainant/wife has tendered an affidavit dated 2nd January, 2025 across the bar (four pages). The same is marked as 'X' for identification. The learned Advocate confirms that this Writ Petition can be allowed.

4. Considering the law laid down by the Supreme Court in *Narinder Singh & Ors. Vs. State of Punjab & Anr., (2014) 6 SCC 466* and *B. S. Joshi and Ors. Vs. State of Haryana & Anr., 2003 (4) SCC 675*, this Writ Petition is allowed by consent in terms of prayer Clause (a) which reads as under:-

(a) This Hon'ble Court may be pleased to quash and set aside regular Criminal Case No.519/PW/2023 arising out of C.R.no. 2 of 2023 registered with Bhandup Police Station for the alleged offenses under section 398(A), 406, 504, 506 r/w 34 of Indian Penal Code, against the Petitioners pending before the Ld Metropolitan Magistrate 53rd Court at Mulund Court Mumbai.

(RAJESH S. PATIL, J.)

(RAVINDRA V. GHUGE, J.)