

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.1149 OF 2024**

Amol s/o Vishnu Ghodke and Ors.Applicants

Versus

The State of Maharashtra & Anr.Respondents

Ms. Sakshi Thombre i/b. Mr. S.S. Thombre for the Applicants.

Mr. R.M. Pethe, APP for Respondent No.1 – State.

Ms. Harshada Shrikhande i/b. Mr. Siddharth A. Mehta for
Respondent No.2.

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

DATE : 27th JANUARY, 2025

P.C. :-

1. A marital discord reached the Police Station in the form of an FIR No.0755 of 2024, registered on 26th June, 2024 with the Kondhwa Police Station, Pune City.

2. The couple is before the Court in this Criminal Application praying for quashing of the said FIR, by consent. A compilation of 14 pages is placed on record which contains a Compromise Deed dated 8th January, 2025 between both of them, which was filed before the learned Single Judge in Misc. Civil Application No.17 of 2024. The compilation is taken on record and

marked as 'X' for identification. The order of the learned Single Judge dated 8th January, 2025, at page 5 in the compilation 'X', is pointed out to indicate that the Misc. Civil Application was disposed off in terms of the compromise.

3. Both the learned Advocates jointly submit that the FIR be quashed, by consent. The order of this Court would be placed before the Family Court in HMP No.106 of 2023 and both would pray for a divorce by mutual consent. Thereafter, the learned Family Court would pass an appropriate order.

4. Considering the above and in view of the law laid down by the Hon'ble Supreme Court in ***B.S. Joshi and Others v/s. State of Haryana and Another***¹, this Criminal Application is allowed, by consent, in terms of prayer clause (b), which reads as under :

(b) This Hon'ble Court may be pleased to quash and set aside, the FIR crime No.0755/2024 registered with Police Station Kondwa, District Pune, for offence under Section 498-A, 377, 354, 323, 504, 506 r/w 34 of Indian Penal Code and for that purpose issue necessary orders.

1 2003 (4) SCC 675

5. The learned Family Court would ensure that all the terms of the settlement/Compromise Deed are implemented before passing the order granting divorce, by mutual consent.

(PRAVIN S. PATIL, J.)

(RAVINDRA V. GHUGE, J.)