

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

CRIMINAL APPLICATION NO.1705 OF 2024

Kenneth Ruskin George Applicant
versus
The State of Maharashtra & Anr. Respondents
.....

- Mr. Arjun S. Kode a/w Ashvin Bansod and Rasika Puralkar, Advocate for Applicant.
- Mr. Sunil Gaikwad, Advocate for Respondent No.2.
- Mr. Y. M. Nakhwa, APP for the State/Respondent.

**CORAM : SARANG V. KOTWAL &
S. M. MODAK, JJ.**

DATE : 26th FEBRUARY, 2025

P.C. :

1. This Petition is for quashing of the C.C. No.1225/PW/2023, pending before the Metropolitan Magistrate, 13th Court, Dadar, arising out of C.R.No.84 of 2023 registered at R.A.K. Marg police station, on 03/03/2023 u/s 498-A, 377, 504 r/w 34 of the Indian Penal Code.

2. Heard Mr. Arjun S. Kode, learned Counsel for the Applicant, Mr. Sunil Gaikwad, learned counsel for the Respondent No.2 and Mr. Y. M. Nakhwa, learned APP for the State.

3. The FIR is lodged by the Respondent No.2. The Petitioner was her husband. She has stated in her FIR that she got married with the Petitioner on 22/12/2021, under the provisions of Special Marriage Act. But she had not informed about her marriage to her parents. Finally, she told her parents in November 2022. She started residing with the Petitioner and his parents at Goa from 05/11/2022. There are various allegations in the FIR about ill-treatment, harassment, demand of money and misappropriation of her gold ornaments. On this basis, the FIR is lodged.

4. The investigation was carried out and the charge-sheet is filed. The charge-sheet contains the statements of her mother, her sister and neighbours from Goa. The neighbours have not thrown further light. But the mother of the Respondent No.2, has supported the Respondent No.2's case. The matter is now settled between the parties. They have obtained divorce by mutual consent. The Respondent No.2 has filed affidavit in this case giving her specific consent for quashing of these

proceedings. She is present in the Court. She is identified by her learned counsel. She stated before the Court that she has no objection for quashing of these proceedings.

5. The dispute between the parties is purely personal in nature. They have settled their dispute to the satisfaction of Respondent No.2. She has no grievance against the Petitioner. No purpose will be served in continuation of the criminal proceedings. Therefore, we are inclined to allow this application.

6. Hence, the following order :

ORDER

- (i) The C.C. No.1225/PW/2023, pending before the Metropolitan Magistrate, 13th Court, Dadar, arising out of C.R.No.84 of 2023 registered at R.A.K. Marg police station, is quashed and set aside.
- (ii) The application is disposed of.

(S. M. MODAK, J.)

(SARANG V. KOTWAL, J.)