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

CRIMINAL APPLICATION NO. 1801 OF 2024

Amit Vinod Morwal & Ors.

..... Applicants

VERSUS

Charandulari Amit Morwal & Anr.

..... Respondents

...

Ms. Riya Rele i/b. Siddhartha Shah & Associates for the Applicants.

Mr.Raghavendra S. Mehrotra a/w. M.J.Shaikh, Orfan Shaikh, Samruddhi Gholap i/b. Lawkhart Legal Advocates and Legal Consultants for the Respondent No.1.

Ms. Supriya Kak, A. P. P. for the State – Respondent No.2.

....

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

DATE : 21st January, 2025

P.C. :

1. A marital discord led to the filing of the FIR No. 0393 of 2023, registered with the Shivaji Nagar Police Station, Thane City on 22nd August, 2023. In a proceeding before the learned Single Judge of this Court in Miscellaneous Civil Application No.311 of 2023, the Consent Terms between the parties were recorded in the order dated

7th August, 2024. The Consent Terms were marked as 'X', copy of which is on record from page nos. 35 to 39. The Complainant wife has also tendered an original affidavit across the bar, dated 21st January, 2025 (page nos. 45 to 49), along with the order of the learned Single Judge dated 7th August, 2024. The said original affidavit is taken on record and marked as 'Y' for identification.

2. The learned Advocate for the respective sides submit that they would abide by the Consent Terms and neither of them would resile from the same. The proceedings bearing No. A-2910 of 2022, pending before the Family Court at Bandra, would be disposed off by recording a divorce by mutual consent, after the copy of this order of quashing the FIR is placed before the Court.

3. In view of the above and considering the law laid down by the Hon'ble Supreme Court in *B.S. Joshi and Others vs. State of Haryana & Anr., 2003 (4) SCC 675* and *Narinder Singh & Ors. vs. State of Punjab & Anr., (2014) 6 SCC 466*, this Criminal Application is **allowed** in terms of prayer Clause (b), which reads as under :-

(b) That this Hon'ble Court be pleased to quash the F.I.R./CR No.0393 of 2023 registered with Shivaji Nagar,

Police Station, Ambernath u/s. 498-A, 406, 420, 465, 504, 323 & 34 of the Indian Penal Code, 1860 against all the Petitioner Nos. 1 to 6 as per law and all consequential investigations / actions / proceedings thereto in the peculiar facts and circumstances of the present case and in the interest of justice;

(RAJESH S. PATIL, J.)

(RAVINDRA V. GHUGE, J.)