

3. The marital discord was the cause of registration of F.I.R. No.249, on 25th April, 2021, with the Khar Police Station, District Mumbai. A Divorce Petition was filed by the Petitioner husband and a Petition under the Protection of Women From Domestic Violence Act, 2005, was filed by the Wife.

4. The Petitioner and the Complainant are before the Court for the quashing of the F.I.R, by consent. The consent terms between the parties (undated) were delivered to the marriage counselor of the Family Court, Bandra, Mumbai, on 6th January, 2025. A photocopy of the same is placed on record, from page 92 to 106.

5. Both the learned Advocates, on instructions from the Petitioner and the Complainant, whom they identified, submit that after the quashing of the F.I.R. by consent, an appropriate application would be filed before the learned Family Court at Bandra, Mumbai, in MJ Petition No.A-433 of 2024. Thereafter, the remaining amount would be paid by the Petitioner to Respondent No.2, by RTGS transfer. The Trial Court would then pass an order granting divorce by consent, subject to the decision on the cooling-

off period.

6. The Complainant has also tendered an original affidavit dated 9th January, 2025, from page 108 to 110, across the bar. The same is marked as **'X'** for identification.

7. In view of the above, considering the law crystallized by the Hon'ble Supreme Court in **B. S. Joshi & Ors. Vs. State of Haryana & Ors, (2003) 2 SCR 1104** and **Narinder Singh & Ors. Vs. State of Punjab, (2024) 6 SCC 466**, this **Writ Petition is allowed by consent** in terms of the prayer clause (A), which reads as under :-

“(A) This Honourable Court be please to issue appropriate writ, order and direction thereby quashing the case No.PW/1284/2204 presently pending before the 9th Court of the Hon'ble Addl. Chief Judicial Magistrate's Court at Bandra, Mumbai arising out of FIR bearing No.249 of 2021 u/s. 498 (A), 377, 509, 323, 506, 420 and 406 of the Indian Penal Code, lodged with Khar Police Station, Mumbai upon a complaint lodged Complainant/Respondent No.2.”

(RAJESH S. PATIL, J.)

(RAVINDRA V. GHUGE, J.)