

Arjun

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.1362 OF 2025

Sushant Arjun Aadmane & Ors.

...Petitioners

Versus

Manasi Sushant Aadmane & Anr.

...Respondents

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Mr. Kuldeep U. Nikam a/w Nishi Singhvi, for the Petitioners.

Ms. A. S. Gotad, APP, for the Respondent - State.

CORAM: MADHAV J. JAMDAR, J.

DATED: 17 APRIL 2025

P.C.:

1. In this Writ Petition the challenge is to the legality and validity of the Order dated 25th February 2025 passed by the learned Additional Sessions Judge, Sangli in PWDVA Appeal No.9 of 2025 as well as to the Order dated 7th February 2025 passed by the learned 3rd Joint Civil Judge, Junior Division, Miraj below Exhibit - 5 in PWDVA Application No.6 of 2025.

2. By the impugned Order dated 7th February 2025 ad interim custody of two daughters have been directed to be given to the Respondent No.1. The said Order has been confirmed by the learned Appellate Court.

3. This Writ Petition was placed for the first time before this Court on 26th March 2025 and Mr. Kuldeep Nikam, learned Counsel, on instructions of the Petitioners, made a statement that custody of two

daughters would be handed over to the Respondent No.1 on 1st April 2025 at 11:00 am. According to the said statement, on 1st April 2025 the custody of two daughters was handed over to the Respondent No.1.

4. Thereafter, as both the learned Counsel submitted that the matter can be resolved, Mr. Kiran N. Navale, learned Advocate practicing in District Court, Sangli has been appointed as Mediator. The learned Mediator has submitted a Report dated 17th April 2025, stating that both the parties have settled the dispute and both of them are ready for cohabitation.

5. Mr. Kuldeep Nikam, learned Counsel appearing for the Petitioners, states that parties have settled the dispute and tenders the 'Consent Terms'. The Consent Terms are signed by Petitioner No.1 i.e. husband and Respondent No.1 i.e. wife. Both, Petitioner No.1 and Respondent No.1 are personally present in Court. Both of them state that the dispute between them is settled in terms of the Consent Terms and the Consent Terms are signed by them. The Consent Terms are signed by learned Advocate appearing for the Petitioners.

6. Mr. Kuldeep Nikam, learned Counsel states that Mr. Rohit Patil, learned Advocate of Respondent No.1 is in personal difficulty. However, he states that Respondent No.1 has signed the Consent Terms in his presence. He identified the signatures of Petitioner No.1 as well as Respondent No.1.

7. Accordingly, the Consent Terms are taken on record and marked “X” for identification. The Consent Terms read as under:

**“CONSENT TERMS ON BEHALF OF THE PETITIONER NO.1
AND RESPONDENT NO. 1**

1. *The Petitioner herein has filed the instant Petition thereby challenging the order dated 25/02/2025 passed by the Ld. Add. Sessions Judge, Sangli in PWDV Appeal No. 09/2025 as well as the order dated 07/02/2025 passed by the Ld. JMFC, Miraj below Exh. 5 in DV Proceeding No. 06 of 2025 thereby granting interim custody of two minor daughters of the parties to the present Respondent No. 1.*
2. *That on 26th March 2025 when the instant petition was on board before this Hon'ble Court, the Petitioner with all bonafides made a statement that he will handover the custody of the two minor daughters to the Respondent No. 1 wife on 01st April 2025 and accordingly the said statement was duly complied with by the Petitioner by handing over the custody to the Respondent No. 1.*
3. *During the pendency of the present Petition on 08th April 2025 when the present Petition was on board before this Hon'ble Court for further consideration, both the parties showed their willingness to resolve their disputes amicably and accordingly a mediator was appointed by this Hon'ble Court.*
4. *That thereafter the Petitioner and Respondent No. 1 have mutually decided to resolve all their disputes and grievances against each other amicably and to resume a happy married life ahead. Accordingly, the Petitioner and Respondent No. 1 have agreed as under:-*
 - A. *The Respondent No.1 wife will resume the co-habitation with Petitioner No. 1 husband after filing the present consent terms. The Respondent No.1 will go for co-habitation at house of Petitioner No.1 to 3 along with both minor daughters.*
 - B. *The Petitioners shall allow the Respondent No.1 to use mobile phone as per her own convenience and*

wish.

- C. *The Petitioners shall allow the Respondent No.1 to visit her parental home as and when she desires. The Petitioners shall also allow and welcome the parents of Respondent No.1 whenever they visit the home of Petitioners.*
 - D. *The Petitioner No.1 and Respondent No.1 will co-habit with each other with love, care, affection and respect.*
 - E. *Both the parties will not insult, abuse or assault each other. Both the parties will respect each other's parents.*
 - F. *Petitioner No.1 and Respondent No.1 will jointly take care of both the children and will give time and attention for their studies and good upbringing.*
 - G. *The Respondent No. 1 will withdraw the Domestic Violence Petition No. 06/2025 pending before Hon'ble J.M.F.C. Miraj after 3 months from today if cordial relations are continued between the parties.*
 - H. *The Respondent No. 1 will file no objection affidavit before Hon'ble Bombay High Court in Criminal Writ Petition No. 9341/2025 filed for quashing of F.I.R. bearing C.R. No. 294/2024 registered with MIDC Kupwad Police Station.*
5. *The Petitioner No. 1 and Respondent No. 1 have signed the present consent terms voluntarily after taking an independent legal advice and after reading the terms and have agreed upon it."*
8. The Writ Petition is disposed of in terms of the Consent Terms, however, with no order as to costs.
9. This Court places on record the appreciation of the efforts taken by Mr. Kiran V. Navale, the learned Mediator.

[MADHAV J. JAMDAR, J.]