

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.2252 OF 2006

Hemen Bhupendra Sampat ... Petitioner

Vs.

The State of Maharashtra & Anr. ... Respondents

Mr. Vinod Parekh for the petitioner.

Mr. Rajesh More, A.P.P. for the State.

Mr. Yogesh Israni i/b Mr. S.B. Keswani for respondent 2.

**CORAM : SMT. RANJANA DESAI &
D. B. BHOSALE, JJ.**

DATED : 29TH JUNE, 2007.

P.C.:-

1. The petitioner has filed the petition praying that FIR in C.R. No.239 of 2006 registered by the Versova Police, Mumbai, be quashed.

2. We have heard Mr. Parekh, the learned counsel for the petitioner and Mr. More, the learned A.P.P. for the State and Mr. Israni, the learned counsel for respondent 2.

3. The learned counsel for the petitioner and the learned counsel for respondent 2 state that the petitioner and respondent 2 have settled all their

disputes. Their marriage is dissolved by a decree of divorce by mutual consent. Copies of the judgment and decree dated 12/6/2007 are tendered in the court. The same are taken on record and marked "X" (Colly.).

4. The petitioner and respondent 2 are present in the court. They confirm that their marriage has been dissolved by a decree of divorce by mutual consent. The parties have also acted in terms of the consent decree. In view of the this, the learned counsel pray that the FIR in C.R. No.239 of 2006 registered by the Versova Police, Mumbai, be quashed and set aside. Affidavit of respondent 2 - Dr. Sakshi Sampat (Batla) dated 29/6/2007 to the effect that the parties have settled their disputes is also taken on record and marked "X-1".

5. In view of the fact that the parties have settled their disputes and in the light of the judgment of the Supreme Court in B.S. Joshi & Ors. v. State of Haryana & Anr., 2003 ALL MR (Cri) 1162 (S.C.), we quash the FIR in C.R. No.239 of 2006 registered by the Versova Police, Mumbai.

6. The petition is disposed of in the aforestated terms.

[SMT. RANJANA DESAI, J.]

[D. B. BHOSALE, J.]