

Anand

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

WRIT PETITION NO.996 OF 2014

Mrs. Perviz N. Gandhi .Petitioner

Vs.

Mrs. Jasmine K. Gandhi & anr. .Respondents

Mrs.Manjula Rao, Advocate, for the Petitioner
Mrs.Jasmine Gandhi, Respondent No.1-in-person present
Mrs.G.P.Mulyekar, APP, for the Respondent No.2 – State

**CORAM : RANJIT V.MORE AND
REVATI MOHITE DERE, JJ.**

DATE : 09.12.2016

P.C.

. Heard learned counsel for the parties.

2. By this Petition, the Petitioner seeks quashing & setting aside of the proceedings in Criminal Complaint No.25/PW/2008 pending before the learned Metropolitan Magistrate's 51st Court, Kurla, Mumbai.

3. The said Criminal Complaint arises out of the MECR No.4 of 2007 registered with the Matunga Police Station, Mumbai at the instance of the Respondent No.1 as against the Petitioner for the offences punishable under Sections 219, 324, 498A, 503 & 506 of the Indian Penal Code.

4. The Petitioner is the mother-in-law of the Respondent No.1 and apart from the Petitioner, there are other four accused.

5. The Petitioner and the Respondent No.1 are present in person. They state that they have resolved their dispute amicably. Accordingly, the Consent Terms dated 22.10.2012 were filed in Suit No.793 of 2007 and on the basis of these Consent Terms, the said Suit was disposed of by the learned Single Judge of this Court (CORAM : MRS. ROSHAN DALVI, J.) vide order dated 22.10.2012.

6. The Respondent No.1, who is present in Court states that in the above circumstances, she has no objection, if the proceedings in Criminal Complaint No.25/PW/2008 pending before the learned Metropolitan Magistrate's 51st Court, Kurla, Mumbai are quashed subject to the condition that the Petitioner will withdraw all the allegations made against the Respondent No.1 in the present Petition. The Petitioner also states that she is withdrawing all the allegations made against the Respondent No.1 in the present Petition. The said statement is accepted.

7. In the light of the above, the Petition is allowed. The proceedings in Criminal Complaint No.25/PW/2008 pending before

the learned Metropolitan Magistrate's 51st Court, Kurla, Mumbai filed against the Petitioner are quashed & set aside.

8. It is made clear, that we are not quashing and setting aside the proceedings in Criminal Complaints filed against other four accused and the proceedings will continue against them.

9. Accordingly, the Petition is disposed of.

(REVATI MOHITE DERE, J.)

(RANJIT V.MORE, J.)