

objection if the complaint is filed since the consent terms have been filed by the husband and the wife in the Family Court wherein they have applied for divorce by mutual consent. We have perused the consent terms. We have interviewed Respondent No. 2 and we are satisfied that quashing of criminal complaint is in the best interest of Respondent No. 2. One of the conditions for grant of divorce by mutual consent is that Respondent No. 2 should give her no objection for quashing the complaint. We have questioned her as to why she wants to give no objection for quashing the complaint, she stated that she is 27 years old and she wishes to start her life afresh. We are satisfied with the reasons given by her. We are therefore of the view that the ratio of judgment in the case of – ***B. S. Joshi vs. State of Haryana [AIR 2003 SC 1386]*** is squarely applicable to the facts of the present case. Criminal application is, therefore, allowed in terms of prayer clause (b) and is accordingly disposed of.

Sd/-

[Ms. NUTAN D. SARDESSAI, J.]

Sd/-

[V. M. KANADE, J.]

Vinayak Halemath