

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

CRIMINAL WRIT PETITION NO.1140 OF 2021

Abhijeet Ganesh Mayne and others	Petitioners
versus	
The State of Maharashtra and another	Respondents

Mr.Kalpesh Patil, Advocate for Petitioners.

Mr.S.S.Hulke, APP for State.

Ms.Aishwarya Shinde, Advocate for Respondent no.2.

**CORAM : A.S.GADKARI AND
 PRAKASH D.NAIK, JJ.**

DATE : 5th April 2023

PC :

1. Leave to amend to incorporate challenge to R.C.C No.88 of 2020 pending on the file of Judicial Magistrate First Class, Patan, District Satara, in prayer clause granted.

Amendment be carried out forthwith and in any event during the course of the day.

2. By the present Petition, the Petitioners i.e. husband (Petitioner no.1), mother in law (Petitioner no2), father in law (Petitioner no.3), brother in law (Petitioner no.4 and sister in law (Petitioner no.5) of Respondent no.2 have prayed for quashing of R.C.C No.88 of 2020 pending on the file of Judicial Magistrate First Class, Patan, District Satara arising out of C.R No.111 of 2020, dated 12th March 2020 registered with Umbraj Police Station under Sections 498-A, 323,

504 r/w 34 of IPC by consent of Respondent no.2.

3. Learned Advocate for Petitioners submitted that Petitioner no.1 and Respondent no.2 have resolved their differences and are presently cohabiting together.

4. Advocate Ms.Shinde submitted that she will file her Vakalatnama on behalf of Respondent no.2 on or before tomorrow.

Learned Advocate Ms.Aishwarya Shinde appearing for Respondent no.2 submitted that Respondent no.2 has filed an Affidavit dated 5th April 2023. In paragraph 6 thereof she has categorically given her no objection for quashing of the said R.C.C No.88 of 2020 arising out of C.R No.111 of 2020. The said Affidavit is taken on record.

Respondent no.2 is personally present in the Court and through her Advocate conceded to the fact of affirming said Affidavit dated 5th April 2023 and also her no objection for quashing of said R.C.C No.88 of 2020 pending on the file of Judicial Magistrate First Class, Patan, District Satara.

5. In view of the above, Petition is allowed in terms of prayer clause (b).

(PRAKASH D. NAIK, J.)

(A.S.GADKARI, J.)