

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.315 OF 2020

Yogesh Vijay Barguje and Ors.

... Petitioners

V/s.

The State of Maharashtra and Anr.

... Respondents

Ms. Divya Parab i/b Mr. Rajesh Katore for Petitioners.
Mrs. M. M. Deshmukh, APP for Respondent No.1-State.
Ms. Manisha Jagtap for Respondent No.2.
Mr. Subhash Rathod, PSI, Kothrud Police Station, Pune.

**CORAM : A.S. GADKARI AND
SHIVKUMAR DIGE, JJ.**

DATE : 4th AUGUST, 2023.

PC. :

1. Husband and in-laws of Respondent No.2 have invoked the jurisdiction of this Court under Article 226 of the Constitution of India for quashing of C.R. No.2 of 2020 registered with Kothrud Police Station, Pune, for offences punishable under Sections 498-A, 323, 354, 504 and 506 read with 34 of Indian Penal Code, 1860, with the consent of Respondent No.2.

2. Record indicates that, by an Order dated 28th February 2020 this Court had directed not to file charge-sheet till the next date. The said Order was subsequently extended from time to time and is in force till

today. Learned Advocate for Petitioners submitted that, Police have not filed charge-sheet till today.

3. Learned Advocate for Respondent No.2 tendered across the bar Consent Terms dated 4th August 2023 executed between Petitioner No.1 and Respondent No.2. The said Consent Terms are affirmed before a Notary Public. It is stated therein that, Petitioner No.1 and Respondent No.2 are cohabiting with each other since long with their child. That, they have entered into amicable settlement and Respondent No.2 does not want to proceed with the case. In paragraph No.9 thereof, Respondent No.2 has given her no objection to allow present Petition.

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

(SHIVKUMAR DIGE, J.)

(A.S. GADKARI, J.)