

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 1022 OF 2023**

Tousif Zahiruddin Ansari And Ors

...Petitioners

Versus

State Of Maharashtra And Anr

...Respondents

Mr. Sanjay R. Singh Advocate for Petitioners.

Mrs. M. M. Deshmukh, APP for Respondent No.1-State.

Mr. Minto Gond for Respondent No.2.

API Sanjay Bharati, Parksite Police Station is present.

**CORAM : A. S. GADKARI AND
PRAKASH D.NAIK, JJ.****DATE : 19th APRIL 2023.**

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P.C.:-

1. By the present Petition, the Petitioners i.e. husband (Petitioner No.1), mother-in-law (Petitioner No.2), father-in-law (Petitioner No.3) and sister-in-laws (Petitioner Nos.4 & 5) of Respondent No.2 are seeking quashing of C.C. No.146/PW/2023 pending on the file of learned Additional Chief Metropolitan Magistrate, 31st Court, Vikroli, Mumbai, arising out of C.R. No.125 of 2022 dated 29th March 2022, registered with Parksite Police Station, Vikroli, Mumbai, under Sections 498-A, 377, 323, 504, 406 read with 34 of the Indian Penal Code, by consent of Respondent No.2.
2. Learned Advocate appearing for Respondent No.2 tendered across the bar an Affidavit dated 5th April 2023 duly affirmed by Respondent No.2

before the Assistant Registrar of this Court. The signature of Respondent No.2 has been identified by her Advocate. It is stated in the said Affidavit that, the Respondent No.2 has settled all the claims and belongings with Petitioners and she will not claim any maintenance or permanent alimony from the Petitioners. In paragraph No.6 therein, she has given her 'no objection' for quashing the F.I.R. No. 125 of 2022 dated 29th March 2022, registered with Parksite Police Station.

3. Respondent No.2 is personally present in the Court and through her Advocate reiterated the contents of her Affidavit dated 5th April 2023 and her 'no objection' for quashing the C.C. No.146/PW/2023 pending on the file of learned Additional Chief Metropolitan Magistrate, 31st Court, Vikroli, Mumbai, arising out of C.R. No.125 of 2022 dated 29th March 2022 registered with Parksite Police Station, Vikroli Mumbai.

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

(PRAKASH D. NAIK, J.)

(A. S. GADKARI, J.)