

## IN THE HIGH COURT OF JUDICATURE AT BOMBAY

## CRIMINAL APPELLATE JURISDICTION

## CRIMINAL WRIT PETITION NO. 814 OF 2023

Faizul Rahman Shaikh and Ors.

...Petitioners

V/s.

The State of Maharashtra and Anr.

... Respondents

Mr. Mujahid Ansari for Petitioners.

Mr. Ajay Patil, APP for Respondent-State.

Ms. Dhruti M. Kapadia for Respondent No.2.

Ms. Diksha Thakare, PI, Mumbra Police Station, Thane City, present.

Mrs. Noor Neha Faizul Shaikh, Respondent No.2 present.

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

DATE : 17th AUGUST, 2023.

PC. :

1. Husband and in-laws of Respondent No.2 have filed present Petition under Article 226 of the Constitution of India and under Section 482 of Cr.PC., for quashing of R.C.C.No.1822 of 2023 pending on the file of 2nd Joint Civil Judge and J.M.F.C., Thane, arising out of C.R. No.0761 of 2022 dated 20th August 2022 registered with Mumbra Police Station, District Thane, under Sections 498-A, 323, 406 and 504 read with 34 of Indian Penal Code, with the consent of Respondent No.2.

2. Ms. Kapadia, learned Advocate appointed by Legal Aid Committee to represent Respondent No.2, tendered across the bar Affidavit dated 17th August 2023 duly affirmed by Respondent No.2 before the Assistant

Registrar of this Court. It is stated that, Petitioner No.1 and Respondent No.2 have settled the matter amicably on the terms and conditions more specifically mentioned in the said Consent Terms. In paragraph No.3 thereof, she has stated that, in pursuance of the said Consent Terms, Petition may be disposed off without dealing with merits and allegations set out therein.

Respondent No.2 is personally present in the Court and through her Advocate reiterates the contents of her Affidavit dated 17th August 2023 and her 'no objection' for quashing of the crime in question.

3. In view of above, Petition is allowed in terms of prayer clauses (b) and (b-1).

4. It is needless to mention that, parties herein shall adhere to the terms and conditions of the Consent Terms dated 17th August 2023 without any demur.

5. We place on record our appreciation that, due to the efforts put in by learned Advocate for Petitioners and learned Advocate appointed to represent Respondent No.2, the parties herein could resolve their disputes and differences amicably and have executed Consent Terms dated 17th August 2023.

(SHIVKUMAR DIGE, J.)

(A.S. GADKARI, J.)