

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 1387 OF 2023**

Kanishka Sunil Wadhwani And Ors.

... Petitioners

V/s.

State Of Maharashtra And Anr.

... Respondents

Ms. Renuka Sawant for Petitioners.

Mrs. G. P. Mulekar, APP for Respondent No.1-State.

Mr. Arjun B. Jeswani for Respondent No.2.

**CORAM : A.S. GADKARI AND
SHIVKUMAR DIGE, JJ.****DATE : 23rd JUNE, 2023.****PC. :**

1. Petitioners i.e. sisters-in-law (Petitioner Nos.1 and 3), brothers-in-law (Petitioner Nos.2 and 4), husband (Petitioner No.5) and mother-in-law (Petitioner No.6) of Respondent No.2 have filed present Petition under Article 226 of the Constitution of India and under Section 482 of the Cr.P.C., for quashing of FIR No. 211 of 2022 registered with Hill Line Police Station, Ulhasnagar, District Thane dated 4th June, 2022 under Sections 498A, 406, 504 read with Section 34 of the Indian Penal Code, with consent of Respondent No.2.

2. At the outset both learned Advocates for respective parties submitted that, the investigation of present crime is not yet completed and police have not submitted charge-sheet.

3. Learned Advocate for Petitioners submitted that, Petitioners and Respondent No.2 have executed Consent Terms dated 31st March, 2023 in the present proceedings. That, para Nos. “F” and “G” thereof provides for quashing of the crime in question by consent of Respondent No.2. He submitted that, Respondent No.2 has settled the matter with Petitioner No.5 and other Petitioners amicably and she does not wish to prosecute with the present crime any further.

4. Learned Advocate for Respondent No.2 tendered across the bar an Affidavit of Respondent No.2 dated 23rd June, 2023, duly affirmed before a Notary Public. In para No.8 thereof, Respondent No.2 has stated that, she has settled the matter amicably with Petitioner No.5 i.e. her husband and she does not want to prosecute any further. That, she has no objection if the present proceeding is quashed.

Respondent No.2 is personally present in the court and through her Advocate reiterates the contents of her Affidavit dated 23rd June, 2023 and her “no objection” for quashing the crime in question.

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

(SHIVKUMAR DIGE, J.)

(A.S. GADKARI, J.)