

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 433 OF 2017**

Bharat Lalji Jadhav & Ors.

.....Petitioners

Vs.

The State Of Maharashtra & Anr.

.....Respondents

Mr. Shashikant Chaudhari a/w Adv. Pranot Pawar a/w Adv. Laxminarayan Shukla i/by Legal Vision for the Petitioners.

Ms. G.P. Mulekar APP, for the Respondent-State.

Ms. Sukhada Sawant for the Respoondent No.2.

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

DATE : 3rd AUGUST, 2023.

P.C.:-

1) Father-in-law, Mother-in-law and Sister-in-law of Respondent No.2 have filed present Petition for quashing of C.R. No.334 of 2016 dated 5th July, 2016 registered with Samata Nagar Police Station, Mumbai under Sections 498A and 406 read with Section 34 of the Indian Penal Code, with consent of Respondent No.2.

2) Learned counsel for the Petitioners submitted that, by an Order dated 2nd February, 2017, by way of ad-interim relief, this Court had directed that, the charge-sheet shall not be filed against the Petitioners, though the investigation shall continue. That, accordingly the police have not submitted charge-sheet till date.

3) Learned Advocate for the Respondent No.2 submitted that, she has filed an Affidavit dated 18th April, 2023 duly affirmed before a Notary Public. It is stated therein that, the Respondent No.2 has consented to dissolve the marriage between Respondent No.2 and Dhiraj Bharat Jadhav amicably and part ways mutually and are in the process of converting the Divorce Petition No.102987 of 2018 in the Mutual Divorce Petition before the Family Court, Mumbai. In paragraph No. 6 thereof Respondent No.2 has given her unconditional consent for quashing of present crime.

4) Respondent No.2 is personally present in the Court and through her Advocate reiterates the contents of her Affidavit dated 18th April, 2023 and her no objection for quashing of the present crime in question.

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

(SHIVKUMAR DIGE, J.)

(A.S. GADKARI, J.)

SANJIV
SHARNAPPA
MASHALKAR

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by SANJIV
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MASHALKAR
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