

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION NO. 213 OF 2023**

Aniruddha Bhatt & Ors.

...Applicants

V/s.

The State of Maharashtra & Anr.

...Respondents

Ms.Namrata Aghashe, for the Applicants.

Mrs.M.M. Deshmukh, APP for the Respondent-State.

Ms.Sharddha Khandare h/f Ms.Sabiha Ansari, for Respondent No.3.

**CORAM : A. S. GADKARI AND
SHIVKUMAR DIGE, JJ.****DATE : 20th JUNE 2023****PC.**

1. By the present Application, Applicants i.e. Husband (Applicant No.1); Mother-in-Law (Applicant No.2) and Father-in-Law (Applicant No.3) of Respondent No.3 have prayed for quashing of R.C.C. No.778 of 2019 pending on the file of 14th Joint Judicial Magistrate First Class, CBD, Belapur, Vashi, Navi Mumbai arising out of the C.R. No.32 of 2019 registered with Koparkhairne Police Station, Navi Mumbai under Section 498-A read with 34 of the Indian Penal Code, with the consent of Respondent No.3.

2. Learned counsel for the Applicants submitted that, the Applicant No.1 and Respondent No.3 have executed Consent Terms dated 2nd December 2022 before the Civil Judge, Senior Division,

Thane in Petition No.764 of 2018. In paragraph No.(vi) of the Consent Terms provides for quashing of the R.C.C. No.778 of 2019 with the co-operation of Respondent No.3. That, present Application, is filed pursuant to the said Consent Terms. She submitted that in furtherance of the Consent Terms dated 2nd December 2022 executed by Petitioner No.1 and Respondent No.2, the learned 2nd Joint Civil Judge, Senior Division, Thane has passed Decree dated 2nd February 2023, allowing the said HMP No.764 of 2018, dissolving the marriage between the Applicant No.1 and Respondent No.3 by consent. A photo copy of the said judgment and decree dated 2nd February 2023 is placed on record.

3. Learned Advocate for Respondent No.2 tendered across the bar an Affidavit of Respondent No.3 dated 7th March 2023 duly affirmed before the Vice Consul, Consulate General of India, Dubai (UAE). In paragraph No.4 thereof, Respondent No.3 has admitted Decree passed by the Joint Civil Judge, Senior Division, Thane. In paragraph No.6 thereof, the Respondent No.3 has given her 'no objection' for quashing of said C.R. No.32 of 2019.

4. In view of the above, Application is allowed in terms of prayer Clauses (a2) and (a3).

(SHIVKUMAR DIGE, J.)

(A.S. GADKARI, J.)