

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION (APL) NO. 306 OF 2022**

Mohammed Waseem Momin @
Vasim Mohammad Nazim & Anr.

.....Applicants

Vs.

Yasmeen W/o. Waseem Momin
Yasmeen D/o. Mohammed Aslam
Ansari & Anr.

.....Respondents

Mr. M.A. Khan Advocate appointed for the Applicants.
Mr. Tariq Khan for the Respondent No.1.
Mr. Ajay Patil APP, for the Respondent No.2-State.

**CORAM : A. S. GADKARI AND
SHIVKUMAR DIGE, JJ.
DATE : 27th JUNE, 2023.**

P.C.:-

- 1) Applicants i.e. husband and in-laws of Respondent No.1 have filed present Application under Section 482 of the Cr.P.C. for quashing of R.C.C. No.524 of 2018 pending on the file of Jt. C.J.J.D. & J.M.F.C., Bhiwandi, District Thane, arising out of C.R. No.I-93 of 2018 registered with Bhiwandi Police Station, under Sections 498A and 377 read with Section 34 of the Indian Penal Code, with consent of Respondent No.1.
- 2) Learned Advocate appearing for the Applicants submitted that, the Applicant No.1 and the Respondent No.1 have resolved all their differences and disputes and have executed Consent Terms dated 17th

December, 2020 before the Court of Metropolitan Magistrate, 51st Court, Kurla in C.C. No.48/DVC/2018. He submitted that, all the terms and conditions mentioned in the Consent Terms dated 17th December, 2020 have been complied with by the Applicants.

3) Learned Advocate for the Respondent No.1 submitted that, the Respondent No.1 has filed Affidavit dated 23rd April, 2022, duly affirmed before a Notary Public. In paragraph No.5 thereof, Respondent No.1 has stated that, she does not wish to continue with the prosecution of the crime in question.

Learned Advocate for the Respondent No.1 on instructions reiterates the contents of her Affidavit dated 23rd April, 2022 and her 'no objection' for quashing of the crime in question.

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

(SHIVKUMAR DIGE, J.)

(A.S. GADKARI, J.)

SANJIV
SHARNAPPA
MASHALKAR

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by SANJIV
SHARNAPPA
MASHALKAR
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