

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 2247 OF 2023**

Pratik Ram Lohana & Ors.

.....Petitioners

Vs.

The State Of Maharashtra & Anr.

.....Respondents

Adv. Harshada More i/by Manish Kanojia for the Petitioners.

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

Mrs. Hiteshree Pratik Lohana, Respondent No.2 present in person.

**CORAM : A. S. GADKARI AND
SHIVKUMAR DIGE, JJ.****DATE : 6th JULY, 2023.****P.C.:-**

1) Leave to amend to incorporate challenge to the charge-sheet in C.C. No.1740/PW/2023 pending on the file of Metropolitan Magistrate 24th Court, Boriwali, Mumbai, granted.

Amendment be carried out forthwith.

2) By the present Petition, Petitioners i.e. husband and in-laws of Respondent No.2 have prayed for quashing of C.C.No.1740/PW/2023 pending on the file of Metropolitan Magistrate 24th Court, Boriwali, Mumbai, arising out of C.R. No.0473 of 2022 registered with Charkop Police Station, Mumbai under Sections 498A, 406, 504 and 506 read with Section 34 of the Indian Penal Code, with consent of Respondent No.2.

3) Learned Advocate for the Petitioners submitted that, the Petitioner No.1 and Respondent No.2 have executed Consent Terms dated 31st March, 2023 before the Family Court at Bandra, Mumbai in M.J. Petition No.F-331 of 2023. In paragraph No.(c) thereof, the parties therein have agreed to file a Petition for quashing of the said crime before this Court. That, in pursuance of the said Consent Terms, present Petition is filed for quashing of the said crime in question.

4) Respondent No.2 has already filed an Affidavit dated 9th February, 2023 duly affirmed before a Notary Public, which is on record at Exh-F. Respondent No.2 is personally present in the Court and upon a query raised by this Court, she reiterated the contents of her Affidavit dated 9th February, 2023 and her 'no objection' for quashing of the crime in question.

5) In view of the above, Petition is allowed in terms of prayer clauses (c) and (c1).

(SHIVKUMAR DIGE, J.)

(A.S. GADKARI, J.)

SANJIV
SHARNAPPA
MASHALKAR

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by SANJIV
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