

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 4482 OF 2021****WITH****INTERIM APPLICATION NO. 873 OF 2022**

Prashant Krishna Poojari And Anr.

... Petitioners

V/s.

The State Of Maharashtra And Anr.

... Respondents

Ms. Bina R. Pai, Mr. Akshay R. Pai a/w Mr. Shanmukh Puranik i/b Mr. Prajakta Shringarpure for Petitioners.

Mr. Ajay Patil, APP for Respondent No.1-State.

Mr. Akash Singh i/b Mr. Ashok M. Saraogi for Respondent No.2.

Ms. Madhuri Poojari, Respondent No.2 present.

**CORAM : A.S. GADKARI AND
PRAKASH D. NAIK, JJ.**

DATE : 20th APRIL, 2023

P.C. :

1. Leave to amend to incorporate challenge to the charge-sheet in the prayer clause.
2. Amendment be carried out forthwith and in any event during the course of the day.
3. By the present Petition, Petitioners i.e. husband and in-laws of Respondent No.2 have prayed for quashing of C.C. No.690/PW/2021 pending on the file of learned 53rd Metropolitan Magistrate, Mulund, Mumbai arising out of C.R. No. 461 of 2021 registered with Bhandup Police Station, Mumbai under Sections 498A, 406, 323, 504, 506 read with Section 34 of the Indian Penal Code with the consent of Respondent No.2.

4. Ms. Pai, learned counsel for Petitioners submitted that, during the pendency of present Petition, due to the mediation of learned Senior Advocate of this Court, the Petitioner No.1 and Respondent No.2 have resolved their differences and disputes amicably. That, the Respondent No.2 has agreed to give her 'no objection' for quashing the said C.C. No.690/PW/2021 arising out of C.R. No. 461 of 2021.

5. Learned Advocate appearing for Respondent No.2 conceded to the fact of amicable settlement between the Petitioner No.1 and Respondent No.2. He tendered across the bar an Affidavit dated 20th April, 2023 duly affirmed by Respondent No.2 before a Notary Public. In para Nos.5, 6 and 7 thereof, Respondent No.2 has given her no objection for quashing of said C.C. No.690/PW/2021 arising out of C.R. No. 461 of 2021 registered with Bhandup Police Station. He submitted that, Petitioners and Respondent No.2 have executed Consent Terms dated 4th March, 2023 before the learned Mediator.

6. Respondent No.2 is personally present in the Court and through her Advocate reiterated the contents of her Affidavit dated 20th April, 2023 and her "no objection" for quashing of C.C. No.690/PW/2021 arising out of C.R. No. 461 of 2021..

7. In view thereof, Petition is allowed in terms of prayer clause "a".

8. In view of disposal of Petition, Interim Application No. 873 of 2022 does not survive and is also disposed off.

(PRAKASH D. NAIK, J.)

(A.S. GADKARI, J.)