

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 2042 OF 2022

Arnab Karmakar Son of Arunkumar Karmakar
and Anr.

...Petitioners

V/s.

State Of Maharashtra And Anr.

...Respondents

Mr. Prithwiraj Chowdhary a/w Mr. Chiranjib Sinha i/by Vaish Associates for
the Petitioners.

Mr. Ajay Patil, A.P.P. for the Respondent No.1-State.

Mr. Amit Ghag for Respondent No.2.

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

DATE : 12th APRIL 2023.

PC:-

. By the present Petition, the Petitioners i.e. husband and mother-in-law of Respondent No.2 have prayed for quashing of C.R. No.77 of 2020 dated 17.02.2020 registered with Wanwadi Police Station, Pune under Sections 498(A), 313, 323, 406, 420, 465, 468, 471, 504 & 506(2) read with Section 34 of Indian Penal Code by consent of Respondent No.2.

2. Learned Advocate for the Petitioners submitted that, in Anticipatory Bail Application No.776 of 2021, the Petitioner No.1 and Respondent No.2 had filed 'Consent Terms' dated 24.11.2021. The said 'Consent Terms' were taken on record and marked 'X' for identification by the learned single

Judge of this Court. That, the said fact has been recorded in Order dated 25.11.2021 in Anticipatory Bail Application No.776 of 2021. Paragraph No.10 of the said 'Consent Terms' provides for quashing of present proceedings after the final decree of divorce is passed by the Family Court. Learned Advocate for the Petitioners submitted that, the Family Court, at Pune has in fact passed final decree of divorce on 13.02.2023.

3. Mr. Ghag, learned Advocate for Respondent No.2 tendered across the bar an Affidavit dated 10.04.2023 of Respondent No.2 duly affirmed before the Notary Public, at Pune. The signature of Respondent No.2 has been duly identified by Advocate Ganesh M. Hiranwale. In Paragraph-5 of the said Affidavit, the Respondent No.2 has given her 'no objection' for quashing of the present proceedings. The said Affidavit is taken on record. Mr. Ghag submitted that, the Respondent No.2 has also signed Vakalatnama in his favour.

4. In view of the above, Petition is allowed in terms of prayer Clause (a).

(PRAKASH D. NAIK, J.)

(A.S. GADKARI, J.)