

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 2195 OF 2023**

Nandini Hitesh Khilnani Nee Lisha Haresh Bhatia ... Petitioner

V/s.

Neha Prakash Khilnani & Ors. ... Respondents

Mr.Rushil Mehta, for the Petitioners.

Mr.Prathamesh Aure i/b Mr.Vishal Acharya, for Respondent No.1.

Mr.S.S. Hulke, APP for Respondent-State.

**CORAM : A.S. GADKARI AND
SHIVKUMAR DIGE, JJ.**

DATE : 17th JULY, 2023.

PC. :

1. Petitioner, accused in C.R. No.470 of 2020 registered with Khar Police Station, Mumbai under Section 326, 323 and 504 of the I.P.C. has filed present Petition under Article 226 of the Constitution of India for quashing of the said Crime with the consent of Respondent No.1, first informant.

Learned counsel for the Petitioner, on instructions, submitted that, till date police have not submitted charge-sheet. The said statement is accepted.

2. The Petitioner is daughter-in-law of Respondent No.1 and wife of Respondent No.2. Learned Advocate for the Petitioner submitted that,

the Petitioner and Respondent No.2 have filed Consent Terms for mutual consent divorce dated 26th June 2022 before the Family Court, Bandra, Mumbai in Petition No.433 of 2021. In paragraph No.18 thereof, both the parties have agreed to co-operate with each other to initiate procedure to quash C.R. No.470 of 2020 filed against the Petitioner by the Respondent No.1. That, present Petition is filed in furtherance of the said Consent Terms dated 22nd June 2022.

3. Respondent No.1 has filed Affidavit dated 17th July 2023 duly affirmed before a Notary public. In paragraph No.4 thereof she has given her 'no objection' for quashing the crime in question.

Respondent No.2 is personally present in the Court and through her Advocate reiterates contents of her Affidavit dated 17th July 2023 and her 'no objection' for quashing the crime in question.

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

(SHIVKUMAR DIGE, J.)

(A.S. GADKARI, J.)