

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 2085 OF 2023**

Neha Prakash Khilnani & Anr.

... Petitioners

V/s.

Nandini Hitesh Khilnani Nee Lisha Haresh Bhatia & Anr.

... Respondents

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Mr.Prathamesh Ayare i/b Mr.Vishal Acharya, for the Petitioners.

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

Mr.Rushil Mehta, for Respondent No.1.

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

DATE : 17th JULY, 2023.

PC. :

1. Husband and in laws of Respondent No.1 have filed present Petition under Article 226 of the Constitution of India for quashing of C.R. No.469 of 2020 registered with Khar Police Station, Mumbai under Section 498-A, 324, 323 and 504 of the I.P.C. with the consent of Respondent No.1.

2. Learned Advocate for the Petitioners submitted that, till date police have not filed charge-sheet in the present Crime. The said statement is accepted.

3. Learned Advocate for the Petitioners submitted that, the Petitioner No.2 and Respondent No.1 have executed consent terms for mutual consent divorce on 22nd June 2022 before the Family Court at

Bandra, Mumbai, in Petition No.A-433/2021. In paragraph No.18 thereof, the parties herein have agreed to co-operate with each other to initiate procedure for quashing of case under Section 498-A. She submitted that, the present Petition is filed in furtherance of the said Consent Terms.

4. Learned Advocate for Respondent No.1 tendered across the bar her Affidavit 27th June 2023 duly affirmed before a Notary Public. In paragraph No.4 thereof, Respondent no.2 has given her 'no objection' for quashing of the crime in question.

Learned Advocate for Respondent No.1, on instructions, reiterates the contents of her Affidavit dated 27th June 2023 and her 'no objection' for quashing the Crime in question.

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

(SHIVKUMAR DIGE, J.)

(A.S. GADKARI, J.)