

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION NO. 408 OF 2022**

Sagar Janardan Sonawane And Ors. ...Applicants

Versus

State Of Maharashtra And Anr. ...Respondents

Mr.Amol b. Jagtap Advocate for Applicants.

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

Mr. Santosh J. Gaikwad Advocate for Respondent No.2.

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

DATE : 28th APRIL 2023.

P.C.:-

1. Applicants i.e. husband (Applicant No.1), father-in-law (Applicant No.2) and mother-in-law (Applicant No.3) of Respondent No.2 have filed present Application for quashing of R.C.C. No. 12 of 2022 pending on the file of learned 4th Judicial Magistrate, First Class Daund, District Pune, arising out of C.R. No.416 of 2021, dated 27th July 2021 registered with Daund Police Station, Pune (Rural) under Sections 498-A, 323, 504, 506 read with 34 of the Indian Penal Code, by consent of Respondent No.2, the wife of Applicant No.1.
2. Learned Advocate for the Respondent No.2 tendered across the bar an Affidavit dated 25th April 2023 duly affirmed before a Notary Public. Her signature is identified by her Advocate on record namely Mr.Santosh Gaikwad.

The said Affidavit is accompanied with 'Consent Terms' executed between the Applicant No.1 and Respondent No.2 before the Family Court at Pune in P.A. No.2119 of 2021. Paragraph No.7 of the said consent terms provides for quashing of R.C.C. No.12 of 2022 pending on the file of learned J.M.F.C., 4th Court, Daund, Pune, arising out of C.R. No. 416 of 2021 registered with Daund Police Station, Pune (Rural), by consent of Respondent No.2.

3. In paragraph No.3 of the said Affidavit, Respondent No.2 has given her unconditional consent without any coercion and undue influence of anyone for quashing of R.C.C. No. 12 of 2022 pending on the file of learned J.M.F.C., 4th Court, Daund, Pune.

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

(PRAKASH D. NAIK, J.)

(A. S. GADKARI, J.)