

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION (APL) NO. 573 OF 2023**

Sourodweep Sudhir Kumar Mitra & Anr.Applicants

Vs.

The State Of Maharashtra & Anr.Respondents

Adv. Darshana S Pawar a/w. Rekha Musale for the Applicants.

Mr. Hemant Ganatra a/w Arti Bohir for the Respondent No.2.

Ms. G.P. Mulekar APP, for the Respondent-State.

Aishwary Aital, PSI, Kurar Police Station present.

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

DATE : 19th JUNE, 2023.

P.C.:-

1) Leave to amend to incorporate challenge to charge-sheet in the Application and prayer clause, granted. Amendment be carried out forthwith and in any event during the course of the day.

2) Applicants i.e. husband and mother-in-law of Respondent No.2 have filed present Application under Section 482 of Cr.P.C., for quashing of CC No.1836/PW/2023 pending on the file of Metropolitan Magistrate 67th Court, Boriwali, Mumbai arising out of C.R. No.1225 of 2021 registered with Kurar Village Police Station, Mumbai under Sections 498A, 504 and 506 read with Section 34 of the Indian Penal Code, by consent of Respondent No.2.

3) Learned Advocate for the Applicants submitted that the Applicant No.1 and Respondent No.2 have executed Consent Terms dated 24th March, 2023 before the Family Court at Thane in Petition No.A-141 of 2022. In paragraph No.8 thereof, the Respondent No.2 has agreed for consenting and for her co-operation in quashing the crime in question. She submitted that, present Application is filed in furtherance of the said Consent Terms dated 24th March, 2023.

4) Learned Advocate for the Respondent No.2 submitted that, the Respondent No.2 has filed an Affidavit dated 17th April, 2023 in Criminal Application (St) No.6867 of 2023 in this Court. In paragraph No.8 thereof, she has stated that, there is amicable settlement between the parties herein. Respondent No.2 is personally present in the Court and through her Advocate reiterates the contents of her Affidavit dated 17th April, 2023 and her 'no objection' for quashing of the said CC No.1836/PW/2023 arising out of C.R. No.1225 of 2021 registered with Kurar Village Police Station, Mumbai.

5) In view of the above, Petition is allowed in terms of prayer clauses (a) and (a1).

(SHIVKUMAR DIGE, J.)

(A.S. GADKARI, J.)

SANJIV
SHARNAPPA
MASHALKAR

Digitally signed
by SANJIV
SHARNAPPA
MASHALKAR
Date: 2023.07.20
14:50:32 +0530

This Order is modified/corrected pursuant to the Speaking to Minutes of Order dated 11.07.2023.