

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 3658 OF 2022**

Javed Hamid Khan And Ors.

... Petitioners

V/s.

The State Of Maharashtra And Ors.

... Respondents

Mr. Ashley Cusher for Petitioners.

Mrs. M. M. Deshmukh, APP for Respondent No.1-State.

Ms. Swati Dube for Respondent No.2.

**CORAM : A.S. GADKARI AND
PRAKASH D. NAIK, JJ.****DATE : 13th MARCH, 2023.****PC. :**

1. By the present Petition, Petitioners i.e. husband and other in-laws of Respondent No.2 i.e. wife of Petitioner No.1, have prayed for quashing of First Information Report (FIR) No. 333 of 2021 under Sections 498A, 406, 323, 504 of the Indian Penal Code and Section 4 of the Muslim Women (Protection of Rights on Marriage) Act, 2019 registered with Bhiwandi City Police Station, District Thane, by consent.

2. Record indicates that, after lodgment of present crime, Petitioners herein have filed Anticipatory Bail Application No. 3276 of 2021 in the Court of learned Additional Sessions Judge, Thane under Section 438 of the Cr.P.C. for pre-arrest bail. The, Petitioners and Respondent No.2 thereafter decided to settle the matter amicably and filed Consent Terms dated 28th October, 2021 before the learned Additional Sessions Judge,

Thane. The learned Additional Sessions Judge, Thane after taking into consideration the fact that, the parties herein have settled matter amicably and have entered into the Consent Terms, by its Order dated 18th November, 2021 granted pre-arrest bail to the Petitioners.

3. Perusal of Consent Terms indicates that, Respondent No.2 herein has agreed and given her irrevocable consent for quashing of FIR No. 333 of 2021 registered with Bhiwandi City Police Station, District Thane.

4. In the premise the present Petition is filed for quashing for said FIR No. 333 of 2021.

Respondent No.2 is personally present before the Court and through her Advocate submitted that, she has willingly signed the said Consent Terms dated 28th October, 2021 and she has no objection in quashing the said FIR against Petitioners.

5. In view thereof, FIR No. 333 of 2021 registered with Bhiwandi City Police Station, District Thane is quashed by consent of the parties herein. Petition is allowed in terms of prayer clause (i).

(PRAKASH D. NAIK, J.)

(A.S. GADKARI, J.)