

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO.1940 OF 2023**

Sadhu Sunil H Ramanandi & Ors. ...Petitioners
V/s.
State of Maharashtra & Anr. ...Respondents

Mr.Nuzat Shaikh, for the Petitioners.
Ms.G.P. Mulekar, APP for the Respondent-State.
Ms.Disha Sheety, for Respondent No.2.
Sadhu Rasilaben, Respondent No.2 present in person.

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

DATE : 12th JUNE 2023.

P.C. :

. By the present Petition under Article 226 of the Constitution of India and under Section 482 of the Cr.PC., Petitioners, i.e. Husband (Petitioner No.1); Mother-in-Law (Petitioner No.2), Father-in-Law (Petitioner No-3), Brother-in-Law (Petitioner No.4), Sister-in-Law i.e. wife of Respondent No.4 (Petitioner No.5) and matrimonial uncle of Petitioner No.1 (Petitioner No.6) have prayed for quashing of C.C. No.2417/PW/2019, pending on the file of the learned Metropolitan Magistrate, 63rd Court, Andheri, Mumbai, arising out of C.R. No.171

of 2018 registered with Jogeshwari Police Station, Mumbai, under Sections 498-A, 406, 323, 504, 506 read with 34 of Indian Penal Code, by consent of Respondent No.2 i.e. wife of Petitioner No.1.

2. Learned Advocate for the Petitioners submitted that, Respondent No.2 and Petitioner No.1 have executed Consent Terms dated 12th January 2023 before the Family Court at Bandra, Mumbai in MJ Petition No.F/129/2023. In Paragraph No.10 thereof, Respondent No.2 has agreed and undertaken to cooperate in quashing of C.C. No.2417 of 2019 arising out of FIR No.171 of 2018 registered with Jogeshwari Police Station, Mumbai, before this Court.

3. Learned Advocate for Respondent No.2-wife tendered across the bar an affidavit dated 3rd May 2023, duly affirmed by Respondent No.2 before the Assistant Registrar of this Court. In Paragraph No.8 thereof, she has given her 'No Objection' in quashing C.C.No.2417/PW/2019 pending on the file of the learned Metropolitan Magistrate, 63rd Court, Andheri, Mumbai, arising out of the FIR No.171 of 2018 registered with Jogeshwari Police Station, Mumbai.

4. Respondent No.2 is personally present in the Court and through her Advocate reiterated the contents of her affidavit dated 3rd May 2023 and her 'No Objection' in quashing the present C.C.

No.2417/PW/2019.

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

(SHIVKUMAR DIGE, J.)

(A.S. GADKARI, J.)