

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 1588 OF 2023**

Kewal Bhupendra Shah

... Petitioner

V/s.

The State Of Maharashtra And Anr.

... Respondents

Mr. Sahim Ansari for Petitioner.

Mrs. G. P. Mulekar, APP for Respondent No.1-State.

Mr. J. S. Tiwari i/b Mr. S. R. Dubey for Respondent No.2.

**CORAM : A.S. GADKARI AND
SHIVKUMAR DIGE, JJ.****DATE : 7th AUGUST, 2023.****PC. :**

1. Husband of Respondent No.2 has invoked jurisdiction of this Court under Article 226 of the Constitution of India and under Section 482 of the Cr.P.C. for quashing of C.R. No. 432 of 2022 registered with Mulund Police Station, Mumbai, under Sections 498A, 406, 323 and 506 of the Indian Penal Code, with the consent of Respondent No.2.

2. Learned Advocate for Petitioner submitted that, Petitioner and Respondent No.2 have executed Consent Terms dated 28th March, 2023 before the Family Court at Bandra, Mumbai in Petition No. A-3236 of 2021. In para No.6 thereof, the parties herein have decided for filing of Petition for quashing of C.R. No. 432 of 2022 registered with Mulund Police Station,

Mumbai. He submitted that, in pursuance of the said Consent Terms dated 28th March, 2023, present Petition is filed.

3. Learned Advocate for Respondent No.2 submitted that, Respondent No.2 has filed Affidavit dated 24th April, 2023 duly affirmed before a Notary Public. In para No.5 thereof, she has given her no objection for quashing for present crime.

Respondent No.2 is personally present in the Court and through her Advocate reiterates the contents of her Affidavit dated 24th April, 2023 and her 'no-objection' for quashing of crime in question.

4. In view thereof, Petition is allowed in terms of prayer clause 'b'.

(SHIVKUMAR DIGE, J.)

(A.S. GADKARI, J.)

CHAITANYA
ASHOK
JADHAV

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