



Harish

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.4979 OF 2021

Abdul Rashid Shaikh & Ors.

...Petitioners

Versus

The State Of Maharashtra & Anr.

...Respondents

Mr. Javed Hussein with Ms. Uma Sharma, Ms. Aisha Zubair Ansari
for the Petitioners.

Mr. Firoz Usman with Mr. Milan Desai for Respondent No. 2.

CORAM : SHARMILA U. DESHMUKH, J.

DATE : OCTOBER 30, 2023

P. C. :

1. The Petitioners seek quashing of the proceeding being C.C. No. 2400072/DV/2021 pending before the learned Metropolitan Magistrate 24th Court at Borivali, Mumbai on the premise that, the parties have amicably settled their dispute.

2. Learned counsel appearing for the Respondent No. 2 has tendered an Affidavit of the Respondent No. 2 dated 30th October, 2023 duly notarized before the Notary Public. In paragraph No. 6 of the Consent Affidavit it is stated that, the Respondent No. 2 has unconditionally given her consent to quash C.C. No. 2400072/DV/2021. The Respondent No.

2 is present in Court and reiterates the contents of her Consent Affidavit.

She is identified by her Advocate.

3. To the Consent Affidavit, Consent Terms dated 17th October, 2023 executed between the parties is annexed and in the Consent Terms, it has been agreed by the Respondent No. 2 that, she will give her no objection for quashing the criminal cases.

4. Having regard to the nature of relationship between the parties and the fact that the matter is now being amicably settled between the parties, there is no impediment to quash the proceeding being C.C. No. 2400072/DV/2021 pending before the learned Metropolitan Magistrate 24th Court at Borivali, Mumbai.

5. In view of the above, proceeding being C.C. No. 2400072/DV/2021 pending before the learned Metropolitan Magistrate 24th Court at Borivali, Mumbai is hereby quashed and set aside.

(SHARMILA U. DESHMUKH, J.)