

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO.2249 OF 2023**

Vijaykumar Maujilal Vishwakarama & Ors. ...Petitioners

V/s.

State of Maharashtra & Anr. ...Respondents

**NILAM
SANTOSH
KAMBLE**

Digitally signed by
NILAM SANTOSH
KAMBLE
Date: 2023.07.18
10:41:23 +0530

Mr.Prakash S. Jain a/w Mr.Darshan P. Bafna, for the Petitioners.

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

Mr.Piyash A. Singh and Mr.Kvishnakant Singh, for Respondent No.2.

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

DATE : 07th JULY 2023

PC.

1. Husband and in laws of Respondent No.2 have filed present Petition for quashing of C.C. No.77/PW/2022 pending on the file of Additional Chief Metropolitan Magistrate, 63rd Court, Andheri, Mumbai arising out of the C.R. No.55 of 2021 registered with Sahar Police Station, Mumbai under Section 498-A, 406, 504 read with Section 34 of the IPC, with the consent of Respondent No.2 i.e. wife of Petitioner No.1.

2. Learned Advocate for the Petitioners submitted that, Petitioner No.1 and Respondent No.2 have executed Consent Terms dated 10th March 2023 before the Family Court at Bandra, Mumbai

in Petition No.A-2007 of 2020. In paragraph No.6 thereof, Respondent No.2 has agreed and undertaken to give her 'no objection' for quashing of the present crime in question. Present Application is filed in furtherance of the said Consent Terms dated 10th March 2023.

3. Learned Advocate for Respondent No.2 tendered across the bar her Affidavit dated 07th July 2023 duly affirmed before the Assistant Registrar of this Court. In paragraph No. 4 thereof, Respondent No.2 has given her no objection for quashing of C.C. No.77/PW/2022 arising out of the C.R. No.55 of 2021.

Respondent No.2 is personally present in the Court and through her Advocate reiterates the contents of her Affidavit dated 7th July 2023 and her 'no objection' for quashing of the Crime in question.

4. In view of the above, Petition is allowed in terms of prayer Clauses (a).

(SHIVKUMAR DIGE, J.)

(A.S. GADKARI, J.)