

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 1575 OF 2023

Vinay Kumar Vijay Kumar Shetty and Ors.

... Petitioners

V/s.

Namita Vinay Kumar Shetty and Anr.

... Respondents

Mr. Chaula Solanki along with H. H. Nagi and Niranjana Pradhan i/b. Nagi and Associates for Petitioners.

Mr. Rajesh Sahani i/b. Mr. Devmani Shukla for Respondent No.1.

Mrs. M. M. Deshmukh, APP for Respondent No.2-State.

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

DATE : 4th AUGUST, 2023.

PC. :

1. Husband (Petitioner No.1); sister-in-law(Petitioner No.2) and brother-in-law (Petitioner No.3) of Respondent No.1 have filed present Petition for quashing of C.C.No.748/PW/2018 pending on the file of learned Metropolitan Magistrate, 5th Court at Dadar, Mumbai, arising out of C.R.No.80 of 2018 registered with Dadar Police Station under Sections 498A and 406 read with 34 of Indian Penal Code with the consent of Respondent No.1.

2. Learned Advocate for Respondent No.1 tendered across the bar her Affidavit dated 8th August 2023. It is stated therein that, Petitioner No.1

and Respondent No.1 have filed Marriage Petition before the Family Court at Bandra, Mumbai, for dissolution of their marriage under Section 13-B of Hindu Marriage Act. That, they have decided to settle their issues amicably. In paragraph No.2 of the Affidavit, Respondent No.1 has stated that, she has no objection and is giving consent for grant of reliefs as prayed for by Petitioners.

3. Learned Advocate for Respondent No.1, on instructions from her, reiterates the contents of her Affidavit dated 3rd August 2023 and her 'no objection' for quashing of the present case.

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

(SHIVKUMAR DIGE, J.)

(A.S. GADKARI, J.)