

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 2585 OF 2021**

Ashish Ashok Agarwal

.....Petitioner

Vs.

The State Of Maharashtra & Anr.

.....Respondents

Mr. Mihir Desai, Senior Advocate with Ms. Anita Catellino, Mr. Siddharth Chandrashekhkar and Mr. Suraj Iyer i/b. Ganesh and Co. for the Petitioner.

Mrs. M.M. Deshmukh, APP for Respondent-State.

Mr. Satish Maneshinde, Senior Advocate with Ms. Anandini Fernandes and Ms. Namrata Maneshinde for Respondent No.2.

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

DATE : 27th JULY, 2023.

PC:-

1) Petitioner, husband of Respondent No.2 has filed the present Petition under Article 226 of the Constitution of India and under Section 482 of Cr.PC. for quashing of C.R. No.306 of 2020 dated 31st August 2020 registered with Worli Police Station, Mumbai, under Sections 498-A, 504, 506, 344 and 406 read with Section 34 of the Indian Penal Code, with consent of Respondent No.2.

2) Record indicates that, by an Order dated 26th July 2021, ad-interim relief granted in Criminal Application No.501 of 2021 was directed to be made applicable to the present case. The said Order was subsequently extended from time to time and is in force till today.

3) Respondent No.2 and Petitioner have executed Consent Terms dated 26th July 2023 and the same are taken on record in Writ Petition No.75 of 2021 on 26th July 2023.

4) Learned Advocate for the Respondent No.2 tendered across the bar, her Affidavit dated 27th July, 2023, duly affirmed before a Notary Public. In paragraph No.2, the Respondent No.2 has admitted execution of the said Consent Terms dated 26th July 2023. In paragraph No.4, Respondent No.2 has given her no objection for quashing of the crime in question against the Petitioner.

Respondent No.2 is personally present in the Court and through her Advocate reiterates the contents of her Affidavit dated 27th July 2023 and her 'no objection' for quashing of the crime in question.

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

(SHIVKUMAR DIGE, J.)

(A.S. GADKARI, J.)

SANJIV
SHARNAPPA
MASHALKAR

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by SANJIV
SHARNAPPA
MASHALKAR
Date:
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