

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO.2251 OF 2023**

Kamal Kant Gaba & Ors.

...Petitioners

V/s.

State of Maharashtra & Anr.

...Respondents

Mr.Omkar S. Paranjape, for the Petitioners.

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

Mr.Dilip A. Joshi a/w Mr.Chinmay D. Joshi, for Respondent No.2.

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

DATE : 07th JULY 2023

PC.

1. Petitioners i.e. husband and in laws of Respondent No.2 have prayed for quashing of C.C. No.203/2010 pending on the file of Judicial Magistrate First Class, Pimpri, Pune arising out of the C.R. No.514 of 2009 registered with Pimpri Police Station, Pune under Sections 498-A read with 34 of the IPC, with the consent of Respondent No.2.

2. Learned Advocate for the Petitioners submitted that, Petitioner No.1 and Respondent No.2 have executed Consent Terms dated 14th December 2021 before the Family Court No.3, Pune in P.A. No.349 of 2020. In paragraph No.4 thereof, Respondent No.2

This order is corrected as per speaking to the minutes of order dated 27th July 2023.

has agreed to withdraw present case and to co-operate with the Petitioner No.1 for the same. She submitted that, the present Petition is filed in furtherance of the said Consent Terms dated 14th December 2021.

3. Learned Advocate for Respondent No.2 tendered across the bar her Affidavit dated 7th July 2023 duly affirmed before a Notary Public. In paragraph No.5 thereof, Respondent No.2 has given her no objection for quashing of FIR filed by her against the Petitioners under Section 498-A of Cr.PC.

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 Clause (a).

(SHIVKUMAR DIGE, J.)

(A.S. GADKARI, J.)