

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 2043 OF 2022**

Aniruddha Narsimha Galgali & Ors. ...Petitioners
V/s.
The State of Maharashtra ...Respondent

Mr.Rounak Naik, for the Petitioners.
Ms.G.P. Mulekar, APP for the Respondent-State.
Mr.Shirish G. Shigwan, for Respondent No.2.
Mr.Sanjivani Kumbare, PSI, Oshiwara Police Station, Mumbai
present in Court.

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

DATE : 20th JUNE 2023

P.C.

1. Registry has reported that, papers of the present
Petition are not traceable at their end.
2. We therefore, directed the Advocate for the Petitioners
to reconstruct the brief on or before 2.30 p.m.
3. Leave to amend to annex charge-sheet dated 28th
February 2023, pending on the file of the Metropolitan Magistrate,
Railway Mobile Court, Andheri, Mumbai, and incorporate its
challenge in the pleadings and prayer clauses granted.
4. Necessary amendment be carried out forthwith and in

any event, during the course of the day.

5. Petitioners i.e. Husband (Petitioner No.1); Mother-in-Law (Petitioner No.2); Father-in-Law (Petitioner No.3) have preferred present Petition under Article 226 of the Constitution of India and under Section 482 of the Criminal Procedure Code for quashing of charge-sheet dated 28th February 2023, pending on the file of the Metropolitan Magistrate, Railway Mobile Court, Andheri, Mumbai, arising out of the C.R. No.137 of 2021 registered with Oshiwara Police Station, Mumbai dated 23rd March 2021 under Sections 498-A, 323, 504 and 506 read with section 34 of the Indian Penal Code.

6. Learned Advocate for the Petitioners submitted that during the pendency of the present Petition, the Petitioner No.1 and Respondent No.2 have executed Consent Terms dated 16th May 2023, in the Family Court at Bandra, Mumbai in Petition No.A/2360/2021. In paragraph No.3 thereof, the Petitioner No.1 and Respondent No.2 have agreed for quashment of present Crime by consent before this Court.

7. Learned Advocate for Respondent No.2 submitted that Respondent No.2 has filed an affidavit dated 27th May 2023, duly affirmed before a Notary Public. In paragraph No.5 thereof, the Respondent No.2 has given her 'no objection' for quashing of the

present crime in question.

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

8. In view of the above, Petition is allowed in terms of prayer Clauses (b) and (c).

(SHIVKUMAR DIGE, J.)

(A.S. GADKARI, J.)