

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION (APL) NO. 604 OF 2018**

Jagdish Yadav Attarde & Ors.

... Applicants

V/s.

The State of Maharashtra & Anr.

... Respondents

Mr. Satyajeet P. Dighe for Applicants.

Mrs.G.P. Mulekar, A.P.P. for Respondent No.1-State.

Mrs.Varsha Pichaya a/w. Mr.S.S. Pandaye for Respondent No.2.

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

DATE : 9th August 2023.

P.C. :

1. Husband and in-laws of Respondent No.2 have filed present application under Section 482 of Criminal Procedure Code for quashing of RCC No. 1593 of 2017 pending on the file of Judicial Magistrate First Class, 4th Court, Nashik, arising out of CR No. 81 of 2017, registered with Indira Nagar Police Station, Nashik, under Sections 498A, 406, 354, 323, 506, 504 read with 34 of Indian Penal Code, with the consent of Respondent No.2.

2. Advocate Mrs.Pichaya Submitted that, she will file her Vakalatnama on or before Friday in the Registry. Said statement is accepted.

3. Learned Advocate Mrs.Pichaya for Respondent No.2 tendered across the bar her affidavit dated 8th August 2023 duly affirmed before the

Assistant Registrar of this Court. It is stated therein that, the Applicant No.1 and Respondent No.2 have settled their disputes amicably and had filed a Petition for divorce by mutual consent in the Court of Civil Judge Senior Division at Bhusawal, District Nashik. That a decree of divorce has accordingly been passed by the concerned Court. The Judgment and Decree passed by the Trial Court dated 2nd May 2023 is annexed to the affidavit. In para No.5 of Affidavit, the Respondent No.2 has given her consent for quashing of RCC No. 1593 of 2017.

4. Respondent No.2 is personally present in the Court and through her Advocate reiterates the contents of her affidavit dated 8th August 2023 and her 'no objection' for quashing of the said case.

5. In view of the above, Application is allowed in terms of prayer Clauses (a) and (a-i).

[SHIVKUMAR DIGE, J.]

[A.S. GADKARI, J.]

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