

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION NO. 660 of 2022**

Mussarat Iqbal Khan & Ors.

... Applicants

V/s.

The State of Maharashtra & Anr.

... Respondents

Mr. S. R. Gaud i/b. Mr. Maniram R. Gaud for Applicants.

Mr. S. S. Hulke, APP for Respondent No.1-State.

Mr. Kunal Patel i/b. Rakesh Agrawal for Respondent No.2.

**CORAM : A.S. GADKARI AND
SHIVKUMAR DIGE, JJ.****DATE : 14th JUNE, 2023.****PC. :**

1. Applicants i.e. mother-in-law (Applicant No.1); brother-in-law (Applicant No.2) and husband (Applicant No.3) of Respondent No.2 have filed present Application for quashing of C.C.No. 312/PW/2023 pending on the file of learned Additional Chief Metropolitan Magistrate, 31st Court, Vikhroli, Mumbai arising out of C.R.No.315 of 2022 registered with Parksite Police Station, Mumbai, under Sections 498-A, 406, 323, 504, 506 read with 34 of the Indian Penal Code, with the consent of Respondent No.2.

2. Mr. Gaud, learned counsel for Applicants submitted that, Respondent No.2 and Applicant No.1 have executed Consent Terms dated 2nd February 2023 before the Metropolitan Magistrate, 31st Court at Vikhroli, Mumbai in Complaint No.95 of 2022. In Paragraph 8 thereof,

Respondent No.2 has agreed and confirmed that she will give her consent to allow present Application and her 'No Objection' for quashing of the crime in question.

3. Respondent No.2 has also affirmed an Affidavit dated 14th June 2023 and in Paragraph 5 thereof, she has given her 'No Objection' to allow the present Application to quash the crime in question.

Respondent No.2 is personally present in the Court and through her Advocate reiterated the contents of her Affidavit dated 14th June 2023 and her 'No Objection' for quashing of the C.C.No. 312/PW/2023 pending on the file of learned Additional Chief Metropolitan Magistrate, 31st Court, Vikhroli, Mumbai arising out of C.R.No.315 of 2022 registered with Parksite Police Station, Mumbai.

4. In view thereof, Application is allowed in terms of prayer clause b(1).

(SHIVKUMAR DIGE, J.)

(A.S. GADKARI, J.)