

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 2150 OF 2023

Dr. Alok Girish Shah

... Petitioner

V/s.

Sanyukta Alok Shah and Anr.

... Respondents

Mr. Ghazala Zubair Khan for Petitioner.

Mr. Ajay Patil, APP for Respondent-State.

Ms. Aarti Sathe along with Ms. Aasavari Kadam for Respondent No.2.

Mr. Pushpak Ingale, Police Inspector, Vile Parle Police Station, Mumbai, present.

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

DATE : 3rd JULY, 2023.

PC. :

1. Petitioner, husband of Respondent No.1 has filed present Petition for quashing of CC No.PW/6501301/2020 pending on the file of learned Metropolitan Magistrate, 65th Court, Andheri, arising out of FIR No.433 of 2019 dated 9th November 2019 registered with Vile Parle Police Station, Mumbai, under Sections 498A, 326, 504 and 506 of Indian Penal Code with the consent of Respondent No.1.

2. Respondent No.1 has filed an Affidavit dated 8th May 2023, duly affirmed before a Notary Public. In paragraph No.5 thereof, she has stated that, Petitioner and Respondent No.1 have applied for divorce by mutual

consent under Section 13B of Hindu Marriage Act 1955, before the Family Court at Bandra, Mumbai. That, they have entered into terms of settlement before the Family Court and have amicably decided to withdraw all allegations and cases filed against each other. Respondent No.1 has further stated that, she is giving her no objection to quash/set-aside the said proceedings i.e. CC No.PW/6501301/2020 pending on the file of learned Metropolitan Magistrate, 65th Court, Andheri, arising out of FIR No.433 of 2019 registered with Vile Parle Police Station, Mumbai.

Respondent No.1 is personally present before the Court and through her Advocate reiterates the contents of her Affidavit dated 8th May 2023 and her 'no objection' for quashing of the said crime in question.

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

(SHIVKUMAR DIGE, J.)

(A.S. GADKARI, J.)