

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 2084 OF 2023**

Abhijit Govind Katarnaware & Anr.

.....Petitioners

Vs.

The State Of Maharashtra & Anr.

.....Respondents

Mr. Hitendra Gandhi for the Petitioners.

Mr. Ajay Patil APP for the Respondent-State.

Mr. Sandesh More for the Respondent No.2.

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

DATE : 27th JUNE, 2023.

P.C.:-

1) Petitioners i.e. husband and mother-in-law of Respondent No.2 have filed present Petition for quashing of C.R. No.1135 of 2022 registered with Khar Police Station, Mumbai under Sections 498A, 323, 504 and 506 read with Section 34 of the Indian Penal Code, with consent of Respondent No.2.

2) Learned Advocate for the Petitioners submitted that, the Petitioner No.1 and Respondent No.2 have executed Consent Terms For Reconciliation And Interim Access dated 10th February, 2023 in the Family Court at Bandra, Mumbai in Petition No.A-1471 of 2022. In paragraph No.9 thereof, the Respondent No.2 has undertaken that she will withdraw criminal complaint filed by her i.e. C.R. No.1135 of 2022 registered with

Khar Police Station, Mumbai and will co-operate with the Petitioner No.1 in the said procedure. That, present Petition is filed in furtherance of the said Consent Terms dated 10th February, 2023.

3) Learned Advocate for the Respondent No.2 tendered across the bar her Affidavit dated 1st June, 2023 duly affirmed before the Assistant Registrar of this Court. In paragraph No.7 thereof, Respondent No.2 has stated that, she does not want to proceed against the Petitioners and wishes to compound the matter, rather than proceed with it. She submitted that they have amicably resolved all the issues and have mutually decided to withdraw cases and compound the present case.

Respondent No.2 is personally present in the Court and through her Advocate reiterates the contents of her Affidavit dated 1st June, 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 (B).

(SHIVKUMAR DIGE, J.)

(A.S. GADKARI, J.)

SANJIV
SHARNAPPA
MASHALKAR

Digitally signed by
SANJIV
SHARNAPPA
MASHALKAR
Date: 2023.07.05
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