

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION (APL) NO. 607 OF 2023**

Sanpreet Harjinder Singh Matharu & Ors.Applicants

Vs.

The State Of Maharashtra & Anr.Respondents

Mr. Kishor L.Siram for the Applicants.

Mr. S.S. Hulke APP, for the Respondent-State.

Adv. Dhinika Shah a/w Pratik Yadav i/by K.H. Giri for the Respondent No.2.

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

DATE : 6th JULY, 2023.

P.C.:-

1) Applicants i.e. husband (Applicant No.1), mother-in-law (Applicant No.2), father-in-law (Applicant No.3), sister-in-law (Applicant No.4) of Respondent No.2 and husband of Applicant No.4 (Applicant No.5) have filed present Application under Section 482 of the Cr.P.C. for quashing of C.C. No.9817/PW/2018 pending on the file of Metropolitan Magistrate 71st Court, Bandra, Mumbai arising out of C.R. No.20 of 2017 registered with Vakola Police Station, Mumbai under Sections 498A and 406 read with Section 34 of the Indian Penal Code, with consent of Respondent No.2.

2) Learned Advocate for the Applicants submitted that, the Applicant No.1 and the Respondent No.2 have executed Consent Terms For Mutual Consent Divorce dated 10th May, 2023 before the Family Court at

Bandra, Mumbai in Petition No.A-1220 of 2017. Paragraph No.5 thereof provides for the quashing of present case filed by Respondent No.2 subject to Applicant No.1 depositing Rs.5,00,000/- in the Family Court, Mumbai. He on instructions further submitted that, the Applicant No.1 has deposited the said amount in the Registry of the Family Court, Mumbai on 23rd June, 2023. He therefore prayed that, the said C.C. No.9817/PW/2018 be quashed.

3) Learned Advocate for the Respondent No.2 tendered across the bar an Affidavit dated 6th July, 2023, duly affirmed before the Assistant Registrar of this Court. In paragraph No.3 thereof, Respondent No.2 has given her 'no objection' for quashing of C.C. No.9817/PW/2018. Respondent No.2 is personally present in the Court and through her Advocate reiterates the contents of her Affidavit dated 6th July, 2023 and her 'no objection' for quashing of the crime in question.

4) In view of the above, Application is allowed in terms of prayer clause (A).

(SHIVKUMAR DIGE, J.)

(A.S. GADKARI, J.)

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MASHALKAR
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