

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 2222 OF 2023**

Arfan Anwar Khan And Ors.

... Petitioners

V/s.

State Of Maharashtra And Anr.

... Respondents

Mr. Janat K. Yadav for Petitioners.

Mr. Ajay Patil, APP for Respondent No.1-State.

Mr. Abdul Hafeez Yakub Kotwala i/b Sumaira Legal Associates for Respondent No.2.

**CORAM : A.S. GADKARI AND
SHIVKUMAR DIGE, JJ.****DATE : 18th JULY, 2023.****PC. :**

1. Husband, father-in-law and mother-in-law of Respondent No.2 have filed present Petition under Article 226 of the Constitution of India and under Section 482 of the Cr.P.C. for quashing of C.C. No. 109/PW/2021 pending on the file of learned Metropolitan Magistrate, 34th Court, Vikhroli, Mumbai, arising out of C.R. No. 17 of 2020, registered with Nehru Nagar Police Station, Mumbai, under Section 498A read with Section 34 of the Indian Penal Code, with consent of Respondent No.2.

2. Learned Advocate for Petitioners submitted that, Petitioner No.1 and Respondent No.2 have executed Consent Terms dated 9th February, 2023 before the learned Metropolitan Magistrate, 34th Court, Vikhroli, Mumbai in C.C. No. 37/DV/2020. In para No.3 thereof, the parties

herein have mutually agreed for quashing the C.C. No.109/PW/2021 before this Court. Present Petition is filed in furtherance of the said Consent Terms dated 9th February, 2023.

3. Learned Advocate for Respondent No.2 tendered across the bar her Affidavit dated 17th July, 2023 duly affirmed before the Assistant Registrar of this Court. In para No.6 thereof, she has given her no objection for quashing of C.C. No.109/PW/2021 pending on the file of learned Metropolitan Magistrate, 34th Court, Vikhroli, Mumbai arising out of C.R. No. 17 of 2020 registered with Nehru Nagar Police, Mumbai.

Respondent No.2 is personally present in the Court and through her Advocate reiterates contents of her Affidavit dated 17th July, 2023 and her “no-objection” for quashing of the crime in question.

4. In view thereof, Petition is allowed in terms of prayer clause “a”.

(SHIVKUMAR DIGE, J.)

(A.S. GADKARI, J.)

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