

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION NO. 838 OF 2023**

Umesh Parthsuram Dhenge & Ors.

... Applicants

V/s.

The State of Maharashtra & Anr.

... Respondents

**NILAM
SANTOSH
KAMBLE**
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Date: 2023.07.20
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Ms.Archana S. Shelar i/b Mr.M.B. Shirsat, for the Applicants.

Ms.G.P. Mulekar, APP for Respondent-State.

Ms.S.G. Acharya, for Respondent No2.

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

DATE : 17th JULY, 2023.

PC. :

1. Husband and in-laws of Respondent No.2 have filed present Application under Section 482 of the Cr.PC. for quashing of C.C. No.1136/PW/2022 pending on the file of Metropolitan Magistrate, 13th Court, Dadar, Mumbai arising out of C.R. No.456 of 2022 registered with Bhoiwada Police Station, Dadar, Mumbai under Sections 498-A, 323 read with 34 of the Indian Penal Code, with the consent of Respondent No.2.

2. Respondent No.2 has filed an Affidavit dated 12th April 2023 duly affirmed by a Notary public. In paragraph No.3 thereof, she has stated that she and Petitioner have filed Petition for divorce by mutual consent and they have decided to withdraw their individual complaints. It is stated

that, she is executing the Affidavit for giving consent for quashing of crime in question.

Respondent No.2 is personally present in the Court and through her Advocate reiterates the contents of her Affidavit dated 12th April 2023 and her 'no objection' for quashing of the crime in question.

3. In view of the above, Petition is allowed in terms of prayer Clause (a).

(SHIVKUMAR DIGE, J.)

(A.S. GADKARI, J.)