

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY****CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 2822 OF 2022**

Dhiraj Bharat Jadhav

.....Petitioner

Vs.

The State Of Maharashtra & Anr.

.....Respondents

Mr. Shashikant Chaudhari a/w Adv. Pranot Pawar a/w Adv. Laxminarayan Shukla i/by Legal Vision for the Petitioner.

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

Ms. Sukhada Sawant for the Respoondent No.2.

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

**DATE : 3<sup>rd</sup> AUGUST, 2023.**

**P.C.:-**

1) Husband of Respondent No.2 has filed present Petition under Article 226 of the Constitution of India for quashing of C.C. No.1702929/PW/2022 pending on the file of Metropolitan Magistrate, 17<sup>th</sup> Court, Boriwali, Mumbai arising out of C.R. No.334 of 2016 dated 5<sup>th</sup> July, 2016 registered with Samata Nagar 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 Respondent No.2 submitted that, she has filed an Affidavit dated 18<sup>th</sup> April, 2023 duly affirmed before a Notary Public. It is stated therein that, the Respondent No.2 has consented to

dissolve the marriage between herself and the Petitioner amicably, part ways mutually and are in the process of converting the Divorce Petition No.102987 of 2018 in the Mutual Divorce Petition before the Family Court, Mumbai.

3) In paragraph Nos.6 and 7 thereof, she has given her consent for quashing of C.C. No.1702929/PW/2022 pending on the file of Metropolitan Magistrate, 17<sup>th</sup> Court Boriwali, Mumbai.

Respondent No.2 is personally present in the Court and through her Advocate reiterates the contents of her Affidavit dated 18<sup>th</sup> April, 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.)**

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