

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 2450 OF 2023**

Mukesh Mahesh Gupta

... Petitioner

V/s.

The State of Maharashtra & Anr.

... Respondents

Ms.Laveena Tejawani i/b. NDB Law for Petitioner.

Mrs.G.P. Mulekar, A.P.P. for Respondent No.1-State.

Mr.Marmik Shah a/w. Ms.Pooja Kothari, Mr.Tejas Popat & Arya Gadagkar i/b. Rashmikant & Partners for Respondent No.2.

**CORAM : A. S. GADKARI AND
SHIVKUMAR DIGE, JJ.****DATE : 20th July 2023.****PC. :**

1. Petitioner, accused in CR No.25 of 2018, dated 16th January 2018 registered with Bandra Police Station, Mumbai, under Sections 354A, 506, 504 of Indian Penal Code and Section 66A of The Information Technology Act, 2000, has filed present Petition under Article 226 of the Constitution of India for quashing of the said crime with consent of Respondent No.2, the informant. Petitioner is the brother-in-law of Respondent No.2.

2. Learned Advocate for Petitioner, on instructions, submitted that, till date the police have not submitted chargesheet. The said statement is accepted.

3. Learned Advocate for Respondent No.2 tendered across the bar her Affidavit dated 10th July 2023 duly affirmed before a Notary Public. It is stated therein that, with a view to keep the family in peace, she has decided not to pursue present F.I.R.. That, at the time of lodgment of the present crime, the relations between the Petitioner and her husband were strained and there was misunderstanding and animosity between them. There were disputes between her husband and the Petitioner over their business, which had led to strained relations between the family members. The dispute between her husband and Petitioner has been settled amicably due to intervention of a Senior Advocate and retired Judge. In para No.4 thereof, she has given her 'no objection' for quashing of the crime in question.

4. Respondent No.2 is personally present in the Court and through her Advocate reiterates the contents of her Affidavit dated 10th July 2023 and her 'no objection' for quashing the crime in question.

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

[SHIVKUMAR DIGE, J.]

[A.S. GADKARI, J.]

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