

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY****CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 2479 OF 2023**

Prashant Bhaskar Bhole & Ors.

... Petitioners

**V/s.**

The State of Maharashtra & Anr.

... Respondents

Mr.Marwadi a/w. Ms.Harshada Morey i/b. Mr.Sunny Waskar for Petitioners.

Mr.S.S. Hulke, A.P.P. for Respondent No.1-State.

Mr.Vaibhav Patankar i/b. Patankar & Associates for Respondent No.2.

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

**DATE : 24<sup>th</sup> July 2023.**

**P.C. :**

1. Husband and in-laws of Respondent No.2 have filed present Petition under Article 226 of the Constitution of India and under Section 482 of Criminal Procedure Code for quashing of CC No. 413/PW/2018 pending on the file of learned Metropolitan Magistrate, 24<sup>th</sup> Court, Borivali, Mumbai, arising out of CR No. 502 of 2015 dated 16<sup>th</sup> October 2015 registered with Malad Police Station, Mumbai, under Sections 498A, 323, 504 read with 34 of Indian Penal Code, with consent of Respondent No.2.

2. Learned Advocate for Petitioners submitted that, the Petitioner No.1 and Respondent No.2 have executed 'Consent Terms' dated 16<sup>th</sup> June 2023 in M.J. Petition No. A-1660 of 2016 before the Family Court at Bandra, Mumbai. In para

No.40(c), it is agreed between the Petitioner No.1 and Respondent No.2 that, the Petitioner No.1 will file a Petition before this Court for quashing of the said CC No.413/PW/2018 pending on the file of Metropolitan Magistrate, 24<sup>th</sup> Court, Borivali, Mumbai and the Respondent No.2 shall cooperate for quashing the said crime. Present Petition is filed in furtherance of the said Consent Terms.

3. Learned Advocate for Respondent No.2 tendered across the bar her Affidavit dated 20<sup>th</sup> July 2023 duly affirmed before the Assistant Registrar of this Court. In para Nos.4 & 5 thereof, the Respondent No.2 has given her 'no objection' and her consent for quashing of CC No.413/PW/2018.

4. Respondent No.2 is personally present in the Court and through her Advocate reiterates the contents of her affidavit dated 20<sup>th</sup> July 2023 and her 'no objection' for quashing the crime in question.

5. 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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