

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 2759 OF 2023**

Israr Ahmad Shafat Khan

... Petitioner

V/s.

The State of Maharashtra & Anr.

... Respondents

Mr.A.K. Upadhyay, for the Petitioner.

Mr.Ajay Patil, APP for Respondent-State.

Mr.Rohan Kharat, for Respondent No.2.

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

DATE : 10th AUGUST 2023

PC. :

1. Petitioner i.e. father-in-law of Respondent No.2 has filed present Petition for quashing of C.C. No.1275/PW/2021, pending on the file of the Metropolitan Magistrate, 31st Court, Vikhroli, Mumbai, arising out of C.R. No.781 of 2021 registered with Parksite Police Station, Mumbai under Section 509 and 506 of the Indian Penal Code, with consent of Respondent No.2

2. Learned Advocate for Respondent No.2 submitted that, he will file his Vakalatnama on or before Friday. His statement is accepted as an undertaking given to this Court.

2.2 Learned Advocate for Respondent No.2 tendered across the bar Affidavit dated 10th August 2023 duly affirmed before the Assistant

Registrar of this Court. It is stated therein that, Respondent No.2 has settled her differences and disputes with her husband and other family members and she is not willing to proceed further with the present prosecution. That, due to disputes and differences amongst her and the family members of her husband, under the misconception or facts she has lodged present Crime. In paragraph No.5 thereof she has given her no objection for quashing of the present case.

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

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

(SHIVKUMAR DIGE, J.)

(A.S. GADKARI, J.)